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MANUAL
OF
LEGISLATIVE PRACTICE,
IN THE
GENERAL ASSEMBLY OF OHIO,
1906-08.

REMOTE STORAGE

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MANUAL

OF

Legislative Practice

IN THE

77th General Assembly

OF

THE STATE OF OHIO

1906-1908

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1904/02

Compiled under Direction of

A. P. SANDLES, Clerk of the Senate

E. W. DOTY, Clerk of the House

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REMOTE STORAGE

1908.02 Journal of

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OFFICERS OF THE SENATE.

77th GENERAL ASSEMBLY.

Position.	Name.	Residence.
Presiding Officer	Lieut.-Gov. A. L. Harris	Eaton.
President pro tem	Jas. M. Williams	Cleveland.
Clerk	A. P. Sandles	Ottawa.
Assistant Clerk	Clark C. Doughty	Columbus.
Journal Clerk	W. A. Gold	Port Washington.
Message Clerk	Herman Blaich	Marion.
Index Clerk	J. F. Fergus	Cleveland.
Engrossing Clerk	George F. Ackerman	Bucyrus.
Enrolling Clerk	Miss Flora M. Sparrow	Columbus.
Recording Clerk	Mrs. Eleanor Critchfield	Mt. Vernon.
Sergeant-at-Arms	Bert S. Bartlow	Hamilton.
First Assistant Sergeant-at-Arms	Michael Booth	Shreve.
Second Assistant Sergeant-at-Arms	Wm. F. Corcoran	Toledo.
Third Assistant Sergeant-at-Arms	T. C. Coil	Spencerville.
Fourth Assistant Sergeant-at-Arms	Thomas O'Donnell	Upper Sandusky.
Fifth Assistant Sergeant-at-Arms	Stanley Harrison	Cleveland.

Members of the Senate

77th General Assembly

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MEMBERS OF THE SENATE.

77th GENERAL ASSEMBLY.

Dist.	Name.	Pol.	County.	Home P. O. Address.	Profession or occupation.
1	Thomas Hunt	D	Hamilton	Kennedy	Farmer.
	John W. Harper (9)	D	Hamilton	Cincinnati	Insurance.
	Arthur Espy	D	Hamilton	Cincinnati	Lawyer.
	Edward A. Hafner	D	Hamilton	Cincinnati	Lawyer.
2-4	Isaac E. Huffman (2)	D	Butler	Oxford	Lawyer.
3	William H. Meck	R	Montgomery	Dayton	Teacher and lawyer.
5-6	F. C. Arbenz (8)	R	Ross	Chillicothe	Manufacturer.
7	Gordon F. Lauman (1)	R	Scioto	Lucasville R. F. D.	Farmer.
8	Milton E. Rathburn	R	Meigs	Rutland	Merchant.
9-14	Isaiah R. Rose	R	Washington	Marietta	Farmer.
	Joseph S. Sites	R	Fairfield	Lancaster	Lawyer.
10	U. S. Brandt	R	Franklin	Canal Winchester	Lawyer.
	B. F. Gayman (3)	D	Franklin	Canal Winchester	Publisher.
11	Oran F. Hypes (1) (4)	R	Clark	Springfield	Merchant.
12	J. E. Russell	R	Shelby	Sidney	Lawyer.
13	Samuel H. West (1)	R	Logan	Bellefontaine	Lawyer.
15-16	W. L. Atwell	R	Licking	Johnstown	Supt. of schools.
17-28	F. M. Vanover	D	Wayne	Wooster	Shipper farm products.
18-19	J. P. Mahaffey	D	Guernsey	Cambridge	Publisher.
20-22	Marshall N. Duvall (5)	R	Jefferson	Steubenville	Lawyer.
	D. W. Crist (2)	R	Columbiana	Moultrie	Music Pub.
21	R. A. Pollock (1) (5)	R	Stark	North Lawrence	Merchant.
23	Thos. Kinsman (1) (5)	R	Trumbull	Kinsman	Farmer.
24-26	N. O. Mather	R	Summit	Akron	Lawyer.
	Charles Lawyer	R	Ashtabula	Jefferson	Lawyer.

Dist.	Name.	Pol.	County.	Home P. O. Address.	Profession or occupation.
25	Frederic C. Howe.....	D	Cuyahoga	Cleveland	Lawyer.
	P. W. Ward.....	D	Cuyahoga	Cleveland	Insurance agent.
	James M. Williams (4)..	D	Cuyahoga	Cleveland	Lawyer.
	Thomas P. Schmidt.....	D	Cuyahoga	Cleveland	Lawyer.
27-29	Frank N. Patterson.....	R	Ashland	Ashland	Lawyer.
30	John C. Drake.....	D	Erie	Kimball	Merchant.
31	Elza Carter (1).....	D	Wyandot	Upper Sandusky....	Lawyer.
32	T. M. Berry (1).....	D	Van Wert	Van Wert	Farmer.
	Wm. M. Denman (6)....	D	Williams	West Unity	Physician and banker.
33	Amos Boehmer (7).....	D	Putnam	Ottawa	Farmer.
	Richard A. Beatty.....	D	Wood	Bowling Green.....	Oil producer & broker.
34	Sylvester Lamb	I D	Lucas	Toledo	Lawyer & railroad bus.

(1) Member Senate, 76th General Assembly. (2) Member House, 75th and 76th General Assemblies. (3) Member House, 70th, 72d and 73rd General Assemblies. (4) Member House, 67th General Assembly. (5) Member House, 74th and 75th General Assemblies. (6) Member House, 74th General Assembly. (7) Member House, 67th and 68th General Assemblies. (8) Member House, 73rd General Assembly. (9) Member Senate, 73rd General Assembly

STANDING COMMITTEES OF THE SENATE

AGRICULTURE.

KINSMAN, *Chairman.*

Berry,	Vanover,	Lauman,
Boehmer,	Mahaffey,	Lawyer.

BANKS AND SAVING SOCIETIES.

BEATTY, *Chairman.*

Denman,	Howe,	Russell,
Hafner	Lamb,	Hypes.

BENEVOLENT INSTITUTIONS.

HARPER, *Chairman.*

Drake,	Ward.	Brandt,
Boehmer.	Lauman,	Arbenz,

CLAIMS.

DENMAN, *Chairman.*

Hafner,	Huffman,	Sites,
Schmidt,	Crist,	Patterson.

COLLEGES AND UNIVERSITIES.

BRANDT, *Chairman.*

Huffman,	Schmidt,	Arbenz,
Hunt,	Sites,	Duval.

COMMERCIAL CORPORATIONS.

WILLIAMS, *Chairman.*

Beatty,	Espy,	Arbenz,
Denman,	Rathburn,	Rose.

COMMON SCHOOLS.

SCHMIDT, *Chairman.*

Drake,	Carter,	Russell,
Espy,	Boehmer,	Atwell,
Vanover,	Brandt,	Meck.
	Duval,	

COUNTY AFFAIRS.

ROSE, *Chairman.*

Berry,	Howe,	Pollock,
Williams,	Boehmer,	Kinsman.

DRAINAGE AND IRRIGATION.

HUNT, *Chairman.*

Boehmer,	Berry,	Patterson,
	West.	

ENROLLMENT (Joint Committee).

RUSSELL, *Chairman.*

Beatty,	Hafner,	Atwell,
	Schmidt.	

FEDERAL RELATIONS.

ATWELL, *Chairman.*

Drake,	Hunt,	Pollock,
	Harper.	

FEES AND SALARIES.

BERRY, *Chairman.*

Beatty,	Williams,	Crist.
Vanover,	Lawyer,	Patterson.
Harper,	Russell,	

FINANCE.

HAFNER, *Chairman.*

Gayman,	Huffman,	Kinsman,
Berry,	Vanover,	Rathburn,
Denman,	Lamb,	Meck.
	Hypes,	

FISH CULTURE AND GAME.

SITES, *Chairman.*

Hafner.	Schmidt.	Kinsman,
	Mehaffey.	

GEOLOGICAL SURVEY.

LAUMAN, *Chairman.*

Lamb,	Ward.	Brandt,
	Hunt,	

INDUSTRIAL SCHOOLS.

PATTERSON, *Chairman.*

Ward,	Boehmer.	Atwell,
	Sites,	

INSURANCE.

WARD, *Chairman.*

Harper,	Gayman,	Crist,
Beatty,	West,	Lawyer.
Drake,	Hypes,	

JUDICIARY.

CARTER, *Chairman.*

Williams,	Schmidt,	Brandt,
Espy,	Hafner,	Duval,
Howe,	Huffman.	Lawyer,
Lamb,	West,	Mather,

LABOR.

LAWYER, *Chairman.*

Mahaffey,	Beatty.	Kinsman,
Howe,	Pollock,	Atwell,

LIBRARY.

CRIST, *Chairman.*

Gayman,	Denman.	Atwell,
	Meck,	

MANUFACTURES AND COMMERCE.

VANOVER, *Chairman.*

Drake,	Arbenz,	Rathburn,
Ward,	Mather,	Patterson.

MILITARY AFFAIRS.

HYPES, *Chairman.*

Vanover,	Mahaffey,	Rose,
Harper,	Huffman.	Patterson,

MEDICAL COLLEGES.

RATHBURN, *Chairman.*

Denman,	Mather,	Arbenz.
Lauman,	Russell,	

MINES AND MINING.

POLLOCK, *Chairman.*

Hunt,	Beatty,	Rose.
	Huffman,	

MUNICIPAL AFFAIRS.

HOWE, *Chairman.*

Espy,	Drake,	Atwell,
Carter,	Lamb,	Mather.
Gayman,	West,	

PRISONS AND PRISON REFORMS.

WEST, *Chairman.*

Ward,	Mahaffey,	Rose,
Hunt,	Drake.	Rathburn,

PRIVILEGES AND ELECTIONS.

ESPY, *Chairman.*

Howe,	Denman,	Meck,
Carter,	Huffman.	Lawyer,
Schmidt,	Hypes,	

PUBLIC PRINTING.

MEHAFFEY, *Chairman.*

Gayman,	Hunt,	Duval.
	Crist,	

PUBLIC WORKS.

HUFFMAN, *Chairman.*

Schmidt,	Harper,	Kinsman,
Denman,	Mehaffey,	Rose,
Beatty,	Hypes,	Meck,
	Sites.	

RAILROADS AND TELEGRAPHS.

LAMB, *Chairman.*

Ward,	Hafner,	Kinsman,
Beatty,	Patterson,	Atwell.
Carter.	West,	

ROADS AND HIGHWAYS.

BOEHMER, *Chairman.*

Vanover,	Hypes,	Rose,
Berry,	Rathburn,	Mather.

RULES (Joint).

WILLIAMS, *Chairman.*

Espy,	Ward,	Pollock.
	Hypes,	

SANITARY LAWS AND REGULATIONS.

ARBENZ *Chairman,*

Schmidt, Harper, Lauman,
Gayman.

SOLDIERS' AND SAILORS' HOME.

MATHER, *Chairman.*

Drake, Pollock, Sites,
Harper. Lauman,

SOLDIERS' AND SAILORS' ORPHANS' HOME.

MECK, *Chairman.*

Huffman, Mahaffey, Kinsman,
Duvall.

STATE BUILDINGS.

DUVAL, *Chairman.*

Harper, Boehmer, Russell,
Brandt.

TAXATION.

GAYMAN, *Chairman.*

Howe, Williams, Russell,
Hunt, Berry, Rathburn.
Drake, Crist,

TEMPERANCE.

DRAKE, *Chairman.*

Harper, Ward, Sites.
Atwell,

Officers of the House

77th General Assembly

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OFFICERS OF THE HOUSE OF REPRESENTATIVES.

77th GENERAL ASSEMBLY.

Position.	Name.	Residence
Speaker	Carmi A. Thompson	Ironton.
Speaker Pro Tem	Freeman T. Eagleson	Cambridge.
Clerk	E. W. Doty	Cleveland.
Assistant Clerk	J. P. Maynard	Washington C. H.
Journal Clerk	A. R. Francis	Dayton.
Message Clerk	E. W. Hughes	Blanchester.
Engrossing Clerk	Chas. R. Doll	Chillicothe.
Enrolling Clerk	J. H. Laughlin	Paulding.
Recording Clerk	Julia A. Hanna	Jackson.
Sergeant-at-Arms	Richard Gilson	Steubenville.
First Ass't Sergeant-at-Arms	J. D. Thomas	Glouster.
Second Ass't Sergeant-at-Arms	H. H. Redkey	Hillsboro.
Third Ass't Sergeant-at-Arms	Fred Blankner	Columbus.

Members of the House

77th General Assembly

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MEMBERS OF THE HOUSE OF REPRESENTATIVES

77th GENERAL ASSEMBLY.

County.	Name.	Pol.	Home P. O. Address.	Profession or Occupation.
Adams	J. W. Guthrie (2)	D	Manchester	Physician.
Allen	Howard W. Pears	D	Lima	Teacher.
Ashland	David Eley (1)	D	Jeromeville, R. F. D. 2.	Farmer.
Ashtabula	B. W. Baldwin (1)	R	Jefferson	Farmer.
Athens	A. J. Crawford (1)	R	Glouster	Physician.
Auglaize	L. G. Neely	D	St. Marys	Oil operator.
Belmont	Isaac H. Gaston	R	St. Clairsville	Lawyer.
	Benjamin Wilson	R	Flushing	Farmer.
Brown	Young Stephenson (1)	D	Georgetown	Physician.
Butler	R. M. Billingslea	D	Bethany	Auctioneer.
Carroll	Thomas H. Watson (1).	R	Minerva	Contr.; Hdwr. Mer.
Champaign	Sherman Thompson (1).	R	Urbana	Farmer.
Clark	Earle Stewart (1)	R	Springfield	Lawyer.
	James Hatfield	R	Springfield, R. F. D. 4	Farmer.
Clermont	N. S. Stevens	R	Bethel, R. F. D. 3	Farmer.
Clinton	A. E. Moon (1)	R	Wilmington	Bookkeeper.
Columbiana	Elijah W. Hill (1)	R	East Liverpool	Real estate.
	W. B. McCord	R	Salem	Editor.
Coshocton	E. L. Lybarger (4)	R	Spring Mountain	Farmer.
Crawford	Frank Miller (1)	D	Crestline	Lawyer.

County.	Name.	Pol.	Home P. O. Address.	Profession or Occupation.
Cuyahoga	James A. Reynolds	D	Cleveland	Machinist.
	Joseph F. Sawicki	D	Cleveland	Lawyer.
	Joseph A. Mulac	D	Cleveland	Designer men's gar.
	John N. Stockwell, Jr.	D	Cleveland	Lawyer.
	Alvah R. Corlett	D	Cleveland	Accountant.
	Henry C. Maulberger	D	Cleveland	Collector.
	Abraham Kolinsky	D	Cleveland	Lawyer.
	John P. Smith	D	Cleveland	Horseshoer.
	Jesse B. Roberts	D	Lakewood	Insurance.
	Pierce D. Metzger	D	Bedford	Lawyer.
	William E. Rolf	D	Collinwood	Monument dealer.
Darke	A. H. Judy (1)	D	Greenville	Retired farmer.
Defiance	Wm. A. Kehnast (1)	D	Defiance	Hardware merchant.
Delaware	H. W. Crist	R	Delaware	Lawyer.
Erie	Cyrus B. Winters	D	Sandusky	Lawyer.
Fairfield	I. M. Steward (1)	D	Ashville R. F. D. 2	Farmer.
Fayette	L. M. McFadden	R	Washington C. H.	Physician.
Franklin	Hiram S. Bronson (1)	R	Columbus	Lawyer.
	Carl L. Braun (1)	R	Columbus	Druggist.
	Richard R. Reynolds (1)	R	Columbus	Carpenter.
	Wm. Curtis Whitney (1)	R	Westerville	Physician.
Fulton	Franklin Briggs (1)	R	Delta	Hardware merchant.
Gallia	I. M. Grover	R	Pinegrove	Merchant.
Geauga	A. R. Phillips	R	Chagrin Falls R. F. D.	Farmer.
Greene	George Little (1)	R	Xenia	Lawyer.
Guernsey	Freeman T. Eagleson (1)	R	Cambridge	Lawyer.

MEMBERS OF THE HOUSE OF REPRESENTATIVES—Continued.

County.	Name.	Pol.	Home P. O. Address.	Profession or Occupation.
Hamilton	Jos. W. Conroy	D	Cincinnati	Lawyer.
	Eugene Adler	D	Cincinnati	Lawyer.
	Henry T. Hunt	D	Cincinnati	Lawyer.
	Joseph P. Kealy	D	Cincinnati	Journalist.
	Thomas B. Paxton, Jr.	D	Cincinnati	Lawyer.
	William Jessup (6)	D	Cleves	Bookkeeper.
	John H. Meyer	D	Cincinnati	Retired.
	Charles A. Burckhardt	D	St. Bernard	Fire chief.
	Nicholas Diehl	D	Cincinnati	Retired.
	Michael Wynne	D	Cincinnati	Sheet metal worker.
Hancock	Marion G. Foster	D	Findlay	Lawyer.
Hardin	J. B. Pumphrey (1) (5)	R	Kenton	Farmer.
Harrison	R. H. Minteer	R	Cadiz	Lawyer.
Henry	D. D. Spangler (1)	D	New Bavaria	Teacher.
Highland	W. H. Burnett (1)	R	New Vienna	Farmer.
Hocking	John C. Pettit	D	Logan	Lawyer.
Holmes	W. D. Ditmars	D	Holmesville	Farmer.
Huron	F. W. Van Dusen	R	Norwalk	Lawyer.
Jackson	Jas. O. Hawkins	R	Wellston	Dentist.
Jefferson	Avery C. Jones (1)	R	Yorkville	Farmer, and hay and grain dealer.
Knox	Calvin V. Trott	R	Mt. Vernon	Lawyer.
Lake	S. D. Shankland	R	Willoughby	Supt. of schools.
Lawrence	Carmi A. Thompson (1)	R	Ironton	Lawyer.
Licking	William A. Ashbrook	D	Johnstown	Editor.
Logan	Dow Aikin (1)	R	Bellefontaine	Lawyer.
Lorain	Robert B. Lersch (1)	R	Elyria	Merchant.

County.	Name.	Pol.	Home P. O. Address.	Profession or Occupation.
Lucas	George A. Bassett (1)	R	Toledo	Lawyer.
	Louis H. Paine (1)	R	Toledo	Lawyer.
	D. J. O'Rourke	I	Toledo	Railway clerk.
	Frank Hillenkamp	I	Toledo	Merchant.
Madison	David J. Schurr	R	London	Supt. of schools.
Mahoning	R. C. Huey (1)	R	Youngstown	Lawyer.
	Randall H. Anderson	R	Youngstown	Farmer.
Marion	John H. Criswell (1)	D	Marion	Physician.
Medina	F. W. Woods	R	Medina	Lawyer.
Meigs	Edgar Ervin	R	Letart Falls	Student.
Mercer	Jasper J. McLaughlin (1)	D	Rockford	Farmer.
Miami	H. J. Ritter	R	Tippecanoe City	Manufacturer.
Monroe	D. E. Yost (1)	D	Woodsfield	Lawyer.
Montgomery	Carl F. Shuler (1)	R	Miamisburg	Lawyer.
	William G. Frizell (1)	R	Dayton	Lawyer.
	Jos. D. Chamberlain	R	Dayton	Lawyer.
Morgan	Charles Bishop	R	Bishopville	Farmer.
Morrow	H. H. Harlan	D	Mt. Gilead	Lawyer.
Muskingum	W. B. Cosgrave	D	Zanesville	Banker.
Noble	W. W. Ackley	D	Caldwell	Real estate and insur.
Ottawa	W. E. Bense (3)	D	Port Clinton	Real estate dealer.
Paulding	F. F. Demuth (1)	R	Cecil	Physician.
Perry	E. S. Martin	R	New Straitsville	General business.
Pickaway	George W. Bowers	D	Ashville, R. F. D. 3	Farmer.
Pike	George B. Nye	D	Waverly	Physician.
Portage	William Grinnell	R	Ravenna	Retired manufacturer.
Preble	Earl H. Irvin	D	Eaton	Editor.
Putnam	Joseph Justice	D	Ottawa	Grain merchant.

MEMBERS OF THE HOUSE OF REPRESENTATIVES—Concluded.

County.	Name.	Pol.	Home P. O. Address.	Profession or Occupation.
Richland	Robert E. Hutchison....	D	Mansfield	Lawyer.
Ross	Elisha A. Tinker.....	R	Chillicothe	Lawyer.
Sandusky	John J. Lehmann (1)...	D	Fremont	Pensions and patents—lawyer.
Scioto	Noah J. Dever.....	R	Portsmouth	Lawyer.
Seneca	Rudolph Keller	D	Attica	Merchant.
Shelby	Cliff. E. McGinnis (1)..	D	Sidney	Lawyer.
Stark	James A. Welker (1)...	R	Canton	Lawyer.
Summit	Frank A. Hoiles (1).....	R	Alliance	Editor and publisher.
	Edwin B. Harper (1)....	R	Clinton	Physician.
	H. C. Spicer.....	R	Akron	Lawyer.
Trumbull	Warren Thomas (1)....	R	Warren	Lawyer.
Tuscarawas	Asa W. Elson.....	D	Uhrichsville	Lawyer.
Union	R. L. Woodburn (1)....	R	Marysville	Lawyer.
Van Wert	J. S. Stuckey (1).....	R	Van Wert	Farmer.
Vinton	John R. Freiner.....	R	McArthur	Farmer & lumberman.
Warren	William Z. Roll (2).....	R	Lebanon	Lawyer.
Washington	George White	D	Marietta	Oil business.
Wayne	Edwin S. Wertz (1).....	D	Wooster	Lawyer.
Williams	Henry L. Goll.....	D	Stryker	Teacher and farmer.
Wood	George E. Reed.....	R	Prairie Depot	Editor.
Wyandot	C. F. Smith (1).....	D	Upper Sandusky	Insurance agent.

(1) Member House, 76th General Assembly.
(2) Member House, 75th and 76th General Assemblies.
(3) Member House, 68th and 69th General Assemblies.
(4) Member House, 62d General Assembly.
(5) Member Senate, 69th General Assembly.
(6) Member House, 63rd General Assembly.

STANDING COMMITTEES OF THE HOUES

AGRICULTURE.

LYBARGER, *Chairman.*

Anderson,	Pumphrey,	Steward of
Grover,	Phillips,	Fairfield,
Burnett,	Bowers,	McLaughlin.

BANKS AND BANKING.

THOMPSON of Champaign, *Chairman.*

Anderson,	Little,	Billingslea,
Crist,	Minteer,	Cosgrave.
Freiner,	Stockwell,	

BOYS' INDUSTRIAL SCHOOL.

CHAMBERLAIN, *Chairman.*

McFadden,	Reed,	Hillenkamp,
Burnett,	Schurr,	Jessup.

CITIES.

PAINE, *Chairman.*

Braun,	Huey,	Criswell,
Lersch,	Hill	O'Rourke,
Shuler,	Van Dusen,	Foster,
Harper,	Dever,	Stockwell,
		Kealy.

CLAIMS.

WATSON, *Chairman.*

Baldwin,	Wilson,	Ackley,
Bronson,	McLauglin,	Maulberger.
Hatfield,	Harlan,	

COMMON SCHOOLS.

WHITNEY, *Chairman.*

Schurr,	Reed,	Corlett,
Shankland,	Gaston,	Wynne.
McCord,	Moon,	
Trott,	Ditmars,	

CORPORATIONS.

AIKIN, *Chairman.*

Grinnell,	Huey,	Adler,
Hill,	Stevens,	Sawicki.

COUNTY AFFAIRS.

ROLL, *Chairman.*

Grover,	Thompson, of Champaign,	Smith of Cuyahoga,
Woods,	Bishop,	Pears.

DAIRY AND FOOD PRODUCTS.

JONES, *Chairman.*

Bishop,	Hatfield,	Spangler,
Grinnell,	Stevens,	Eley.

DITCHES AND DRAINS.

BISHOP, *Chairman.*

Stuckey,	Spicer,	Goll,
Stevens,	Ashbrook,	Steward of Fairfield.

ELECTIONS.

BRONSON, *Chairman.*

Hawkins,	Chamberlain,	Lehman,
Spicer,	Bassett,	Miller.
Crawford,	Hunt,	

ENROLLMENT (Joint Committee).

SCHURR, *Chairman.*

Ervin of Meigs,	Shankland,	Sawicki,
	Adler.	

FEDERAL RELATIONS.

SHANKLAND, *Chairman.*

Hoiles,	Stewart of Clark,	Pettit,
Ervin of Meigs,	Nye,	Billingslea.

FEES AND SALARIES.

HUEY, *Chairman.*

Roll,	Thomas,	Wertz,
Reed,	Welker,	Ashbrook.
Watson,	Tinker,	
Wilson,	Judy,	

FINANCE.

BALDWIN, *Chairman.*

Hoiles,	Lersch.	Bense,
Woodburn,	Jones,	McGinnis,
Whitney,	Spicer,	Guthrie,
Ervin of Meigs,	Gaston,	Yost.

FISH CULTURE AND GAME.

BASSETT, *Chairman.*

Braun,	Pumphrey,	Paxton,
Phillips,	Ritter,	Roberts.

GIRLS' INDUSTRIAL HOME.

FRIZELL, *Chairman.*

Whitney,	Thompson of	Tinker,
Thomas,	Champaign,	Irvin of Preble,
		Justice.

HOSPITAL FOR EPILEPTICS.

GROVER, *Chairman.*

Anderson,	Grinnell,	Winters,
Trott,	Demuth,	Elson.

HOSPITALS FOR THE INSANE.

SHULER, *Chairman.*

McFadden, Bishop, White,
Paine, Woodburn, Neely.
Thompson, Judy,

INSTITUTION FOR THE BLIND.

LERSCH, *Chairman.*

Briggs, Burnett, Mulac,
Bronson, Spangler, Stephenson.

INSTITUTION FOR THE DEAF.

MOON, *Chairman.*

Trott, Crist, Burkhardt,
Lybarger, Keller, Hillenkamp.

INSTITUTION FOR FEEBLE-MINDED YOUTH.

VAN DUSEN, *Chairman.*

Reynolds of Franklin, Chamberlain, Hutchison, Maulberger.
Stevens, Kealy,

INSURANCE.

STEWART of Clark, *Chairman.*

Minteer, Van Dusen, Pears,
Trott, Ritter, Smith of Wyandot.
Frizell, Ackley,

JUDICIARY.

THOMAS, *Chairman.*

Bassett, Woods, Paxton,
Aikin, Stewart of Clark, Lehman.
Eagleson, Chamberlain,
Dever, Harlan,

LABOR.

REYNOLDS of Franklin, *Chairman.*

Phillips,	Harper,	Wynne,
Minteer,	Martin,	O'Rourke.
Hawkins,	Reynolds of Cuyahoga,	

LIBRARY.

GASTON, *Chairman.*

Welker,	Frizell,	Spangler,
Jones,	Metzger	Kolinsky.

MANUFACTURES AND COMMERCE.

HAWKINS, *Chairman.*

Grinnell,	McFadden,	Corlett,
Crist,	Meyer,	Rolf.

MEDICAL JURISPRUDENCE.

DEMUTH, *Chairman.*

Harper,	Crawford,	Stephenson,
McFadden,	Whitney,	Criswell.

MILITARY AFFAIRS.

STUCKEY, *Chairman.*

Aikin,	Roll,	Roberts,
Pumphrey,	McCord,	Winters.

MINES AND MINING.

HARPER, *Chairman.*

Martin,	Wilson,	Reynolds, of Cuyahoga,
Hawkins,	Freiner,	
	Pettit.	

PRISONS AND PRISON REFORMS.

HILL, *Chairman.*

Phillips,	Moon,	Meyer,
Paine,	Minteer,	Bowers.

PRIVILEGES.

BURNETT, *Chairman.*

Grover,	Watson,	Keller,
Braun,	Mulac,	Diehl.

PUBLIC BUILDINGS AND LANDS.

DEVER, *Chairman.*

Reynolds, of Franklin,	Tinker,	Jessup.
Briggs,	Cosgrave,	
	Foster,	

PUBLIC PRINTING.

MCCORD, *Chairman.*

Reed,	Hoiles,	Irvin, of Preble,
Woods,	Kealy,	Hutchison.

PUBLIC WAYS AND TURNPIKES.

MARTIN, *Chairman.*

Schurr,	Little,	Ditmars,
Demuth,	Wertz,	White.
Hatfield,	Smith, of Cuyahoga,	

PUBLIC WORKS.

LITTLE, *Chairman.*

Shuler,	Spicer,	Neely,
Lersch,	Dever,	Conroy.
Lybarger,	Kehnast,	

RAILROADS AND TELEGRAPHS.

CRAWFORD, *Chairman.*

Harper,	Tinker,	Eley,
Aikin,	Crist,	Justice.
Watson,	Rolf,	

RULES (Joint).

MR. SPEAKER, *Chairman.*

Huey,	Eagleson,	Yost,
	Paxton.	

SOLDIERS' AND SAILORS' HOME.

PUMPHREY, *Chairman.*

Stuckey,	Phillips,	McGinnis,
Hatfield,	Briggs,	Burkhardt.

SOLDIERS' AND SAILORS' ORPHANS' HOME.

WOODBURN, *Chairman.*

Ritter,	Lybarger,	Hunt,
Roll,	McCord,	Kolinsky.

TAXATION.

HOILES, *Chairman.*

Hill,	Ritter,	Kehnast,
Demuth,	Freiner,	Metzger,
Welker,	Moon,	Nye.
Crawford,	Miller,	
Martin,		

TEMPERANCE.

BRIGGS, *Chairman.*

Woods,	Ervin, of Meigs,	Bense,
Stuckey,	Reynolds, of	Guthrie,
Jones,	Franklin,	White.

UNIVERSITIES AND COLLEGES.

BRAUN, *Chairman.*

Shankland,	Gaston,	Elson.
Stewart, of Clark,	Shuler,	
	Yost,	

VILLAGES.

WELKER, *Chairman.*

Woodburn,	Diehl,	Conroy.
Bassett,	Smith, of Wyandot,	
Wilson,		

Rules of the Senate

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RULES OF THE SENATE..

ORGANIZATION.

RULE 1. At the hour of 10 o'clock a. m. on the first Monday in January, that being the day fixed for the organization of the General Assembly, the Senate shall be called to order by the Lieutenant-Governor, its president, or in his absence by the oldest person present holding a certificate of election as Senator. The person so presiding shall designate one of the Senators-elect to act as Clerk. The roll of the districts shall be called in their numerical order and the persons holding certificates of election as Senators from such districts shall present the same and take the oath of office. (See Sec. 25, R. S.)

RULE 2. The Senate shall proceed to elect the officers provided for by the statutes and such additional officers as may be required, as shown by the certificate of the Clerk or the Sergeant-at-Arms and authorized by resolution of the Senate. The officers so elected shall appear at the bar of the Senate and take an oath of office administered by the presiding officer.

RULE 3. The Lieutenant Governor shall be President of the Senate, but shall vote only when the Senate is equally divided. (See Const., Art. III, Sec. 16.)

RULE 4. The Senate may select from its members a President pro-tempore, who shall perform the duties of the President during his absence or impeachment, or while he is exercising the office of Governor. (See Const., Art. III, Sec. 16.)

RULE 5. The President shall take the chair pre-

cisely at the hour to which the Senate shall have adjourned or taken a recess, and shall immediately call the Senate to order.

RULE 6. The President may call upon any Senator to perform the duties of the chair, but such appointment shall not extend beyond a recess or adjournment, nor shall any Senator so appointed attest any document as the President of the Senate.

RULE 7. When both the President and President pro tem. are absent at the hour to which the Senate has adjourned or taken a recess, the Clerk shall call the Senate to order and the Senate shall proceed to select some member to act as presiding officer until the President or President pro. tem. shall be present or an adjournment is taken.

RULE 8. The President shall have general direction of the Senate Chamber and enforce the rules of that body. He shall preserve order and decorum in the proceedings of the Senate; and in case of any disturbance or disorderly conduct in the lobby the President, or Chairman of the committee of the whole Senate, shall have the power to order the same to be cleared.

RULE 9. The President of the Senate shall appoint three pages, who shall serve during the sessions of the General Assembly, unless dismissed for cause by the President, or the Senate. Additional pages may be authorized by the Senate. (Sec. 34, R. S.)

RULE 10. The President, or in his absence the President pro tem., shall sign all acts and joint resolutions when passed by both houses; and all writs, warrants and subpoenas issued by order of the Senate shall be, under his hand, attested by the Clerk.

RULE 11. All committees, except standing committees, shall be appointed by the President, unless the Senate shall otherwise provide.

ORDER OF BUSINESS OF THE DAY.

RULE 12. As soon as the Senate is called to order, prayer may be offered, and a quorum being present, the Journal of the preceding day shall be read by the Clerk, and, if necessary, corrected by the Senate.

RULE 13. As soon as the Journal is read and approved, the order of business shall be as follows:

1. Petitions and memorials.
2. Introduction of bills.
3. Resolutions and motions.
4. Bills for second reading.
5. Reports of standing committees in their order.
6. Reports of select committees.
7. Bills for third reading.

RULE 14. The business of the Senate shall be disposed of in the order in which it is arranged, and not otherwise, unless by leave of two-thirds of the Senators present.

RULE 15. If the calling of the committees for reports be not completed on any given day, the President shall, on the subsequent day, on reaching the order of "Reports of Standing Committees," commence with the committee next in order after the last called on the previous day.

RULE 16. Messages from the House, and communications from either branch of the Executive Department of the State, may be received, read and disposed of at any time, except when the President is putting a question, while the yeas and nays are being called, or while ballots are being counted, unless objection is made to the reading, when the Senate shall decide.

QUORUM.

RULE 17. A majority of all the members elected to the Senate, shall constitute a quorum, but a less number may compel the attendance of absent members or adjourn from day to day.

RULE 18. In the event that a roll call shows the absence of a quorum the President shall direct the Sergeant-at-Arms to dispatch his messengers for absentees, and until a quorum is procured, no business shall be in order except a motion to adjourn, and the enforcement of attendance of the absentees.

CALL OF THE SENATE.

RULE 19. The President may order, or any Senator may demand, a call of the Senate and upon such call the names of the Senators shall be called by the Clerk in their alphabetical order and the names of those responding entered upon the Journal.

RULE 20. On the completion of the roll call on a call of the Senate, the President shall direct the Sergeant-at-Arms to bring in the absentees, if any, and until such absentees have appeared at the bar of the Senate and answered to their names, no business shall be in order except a motion to adjourn and a motion to dispense with further proceedings under the call.

RULE 21. Pending a call of the Senate, if a motion to adjourn has been voted down, it can not be renewed until a motion "to dispense with the call" has been voted upon or until a Senator has appeared and answered to the roll call.

RULE 22. A motion to dispense with further proceedings under the call can not be made in the absence of a quorum.

RULE 23. While the Senate is under a call the doors must be closed and guarded, only members and officers of the Senate shall be admitted and the Senators must remain in their seats.

COMMITTEES.

RULE 24. At the beginning of the regular session the Senate shall appoint the following Standing Committees, and the number composing each committee shall be fixed by resolution of the Senate; in the absence of other provisions the number shall be as follows:

1. Agriculture, 7.
2. Banks and Saving Societies, 7.
3. Benevolent Institutions, 7.
4. Claims, 7.
5. Colleges and Universities.
6. Commercial Corporations, 7.
7. Common Schools, 7.
8. County Affairs, 7.
9. Enrollment, 5.
10. Drainage and Irrigation, 5.
11. Fees and Salaries, 7.
12. Federal Relations, 7.
13. Finance, 9.
14. Fish Culture and Game, 7.
15. Geological Survey, 5.
16. Industrial Schools, 5.
17. Insurance, 7.
18. Judiciary, 11.
19. Labor, 7.
20. Library, 5.
21. Manufactures and Commerce, 7.
22. Medical Colleges and Societies, 5.
23. Military Affairs, 7.

24. Mines and Mining, 7.
25. Municipal Affairs, 7.
26. Prisons and Prison Reform, 7.
27. Privileges and Elections, 7.
28. Public Printing, 5.
29. Public Works, 7.
30. Railroads and Telegraphs, 9.
31. Roads and Highways, 7.
32. Rules, 5.
33. Sanitary Laws
34. 'Soldiers' and Sailors' Home, 7.
35. Soldiers' and Sailors' Orphans' Home, 7.
36. State Buildings, 5.
37. Taxation, 9.
38. Temperance, 7.

RULE 25. The first named member of any committee shall be the Chairman, and in his absence the next named member, unless the committee, by a majority vote, elect a Chairman.

RULE 26. The committees shall meet upon the call of their respective Chairmen, and in case of his absence, or refusal to call the committee together, a meeting may be called by any two members of the committee.

RULE 27. No committee shall sit during the sessions of the Senate without special leave.

ROLE 28. The several standing and select committees of the Senate shall have leave to report by bill or otherwise; but the report of any committee must be signed by a majority of its members before it can be received at the Clerk's desk; when a majority of a committee have reported, the minority may present their views when the question shall be upon the substitution of the minority for the majority report.

RULE 29. The Committee on Enrollment may re-

port at any time when the Senate is not otherwise engaged.

RULE 30. Every committee to which a bill or resolution is referred shall carefully examine the form, phraseology, punctuation and arrangement thereof and report to the Senate the necessary amendments to correct the same.

RULE 31. All committees, except standing committees, shall be appointed by the President, unless the Senate shall otherwise direct.

RULE 32. All appointments, which are subject to the advice and consent of the Senate, shall, before taking action thereon, be referred to the appropriate standing committee for consideration and recommendation.

RULE 33. When a motion is made to commit to a committee of the whole Senate, or to a standing committee, it shall not be in order to amend such motion by substituting any other committee; but if any other committee be suggested, the question shall first be put upon the committee first named, and afterwards upon the committee or committees suggested, in the order in which they were named.

COMMITTEE OF THE WHOLE.

RULE 34. When the Senate is ready to proceed to the orders of the day a motion to go into committee of the whole Senate on the order of the day shall have precedence of all other motions, except to adjourn, to take a recess, to lie on the table, and for the previous question.

RULE 35. In forming the committee of the whole Senate, the President shall leave the chair and appoint a chairman, who shall preside and vote as other Senators.

RULE 36. The Clerk shall make no permanent rec-

ord, but shall keep such minutes of the proceedings of the committee of the whole Senate as will enable the chairman to make up his report to the Senate.

RULE 37. The rules of proceeding in committee of the whole shall be the same as in the Senate, so far as they may be applicable.

RULE 38. In committee of the whole, bills shall be read by the chairman or Clerk, and considered by sections, unless it be otherwise directed by the committee, leaving the preamble last to be considered. The body of the bill shall not be defaced or interlined, but amendments shall be noted by the chairman or Clerk on a separate piece of paper, as the same are agreed to by the committee, and so reported to the Senate.

RULE 39. When the committee shall arise the President shall immediately resume the chair and the chairman shall at once present the report of the Committee, and the Senate shall forthwith proceed to the consideration of the bill and the amendments of the committee unless the Senate shall otherwise order, but the bill shall be subject to discussion or amendment before the question to engross the bill is taken.

VOTING.

RULE 40. Every Senator present when the question is put shall vote, unless the Senate by a majority vote shall excuse him from voting. A request to be excused from voting must be made before the Senate divides or before the call of the roll begins.

RULE 41. Any Senator requesting to be excused from voting may briefly explain the reason for such request and the Senate shall pass upon the request without further debate.

RULE 42. When fewer than a quorum vote on any question pending in the Senate, the President shall

forthwith order the roll of Senators called by the Clerk. If a quorum be present, as shown by answering to their names, or by their presence in the chamber, the President shall again order the roll to be called, and if any Senator refuses to vote, he shall be noted as present, but not voting, unless the Senate shall have previously excused him from voting.

RULE 43. No Senator shall vote upon any question involving his election or the right to his seat.

RULE 44. After a vote is taken viva voce if the President is undecided, or if a division is demanded by any Senator (the demand being made before the result is announced) the Senate shall divide. Those voting in the affirmative will arise at the sound of the gavel and remain standing until counted and the count is announced. Then those voting in the negative will arise and remain standing until counted and the vote is announced.

VOTING — THE YEAS AND NAYS.

RULE 45. Any Senator may demand the yeas and nays on any question, but the demand must be made before a vote is taken or declared or before a division. The President may order the yeas and nays upon any question when he is in doubt as to the result of a vote taken viva voce.

RULE 46. The yeas and nays shall be called upon the election of all officers, a majority of those voting being necessary to a choice. If there be no choice in ten ballots, the person receiving the highest number of votes on the succeeding roll call shall be declared elected. (Sec. 33 R. S.)

RULE 47. The yeas and nays shall be called upon the passage of all bills and upon the adoption of all joint resolutions having the force and effect of law,

the votes of a majority of all the Senators elected being required in each instance. (Sec. 9, Art. 2, Const.)

RULE 48. The yeas and nays shall be called upon motions to dispense with a constitutional rule, a three-fourths vote being necessary to suspend such rule; but in the event that a roll call immediately preceding such motion to dispense shows the presence of three-fourths of the members elected, the rule may be suspended by a unanimous viva voce vote. (Sec. 16, Art. 2.)

RULE 49. The yeas and nays shall be called upon the adoption of all resolutions providing for the expenditure of money, a majority of all the Senators elected being necessary to the adoption of such resolution. (See Sec. 22, Art. 2, Const.)

RULE 50. The yeas and nays shall be called upon all bills or resolutions giving extra compensation to any officer or for the payment of any claim not provided for by pre-existing law; two-thirds of the votes of all the Senators elected shall be necessary in each instance. (See Sec. 29, Art. 2, Const.)

RULE 51. The yeas and nays shall be called upon advising and consenting to appointments made by the Governor, and in each case the votes of a majority of all the Senators elected shall be necessary to confirmation. (Sec. 2, Art. VII, Const.)

RULE 52. The yeas and nays shall be called upon the adoption of all resolutions proposing amendments to the Constitution, and three-fifths of the votes of all the Senators elected are necessary to the adoption of such resolutions. (Sec. 1, Art. 16, Const.)

RULE 53. The yeas and nays shall be called upon the question of concurring in amendments made by the House to all bills or joint resolutions passed by the Senate; and upon the adoption of the reports of all conference committees.

RULE 54. No other persons than the Clerks shall remain at the Clerk's desk while the yeas and nays are being taken or ballots are being counted.

RULE 55. After the roll is called and the vote announced any Senator may demand a verification of the roll call, which being ordered, the Clerk shall read first the names of those Senators voting in the affirmative and second those voting in the negative. If error is claimed a correction may be made by a vote of the Senate, but no Senator shall be permitted to change his vote as originally cast upon a verification of the roll call.

RULE 56. After the completion of the roll call and before the result is announced any Senator may change his vote. A Senator who is absent may at any time within two days thereafter, by leave of the Senate, have his vote recorded on the question, provided it does not alter or change the result of the vote on the question as originally taken.

DECORUM AND DEBATE.

RULE 57. When a Senator desires to address the Senate or to make a motion he shall rise and respectfully seek recognition of the presiding officer by saying, "Mr. President." The President shall recognize him by announcing "The Senator from ————," naming his county. If the county is represented by more than one Senator, the announcement shall be "The Senator from ————, Mr. ————."

RULE 58. When two or more Senators seek recognition of the Chair at the same time, the President shall decide who shall speak first, and the other must renew his request for recognition later.

RULE 59. No Senator shall speak more than twice to the same question except in committee of the whole

Senate, or by leave of the Senate; and the Senator speaking shall confine himself to the question under debate, and avoid personality.

RULE 60. A Senator shall not, at any time, speak upon a bill or motion introduced by himself longer than fifteen minutes, and any other Senator not longer than ten minutes without the unanimous consent of the Senate.

RULE 61. Any Senator while discussing a question may read or cause to be read from books, papers or documents any matter of reasonable length pertinent to the subject under consideration without asking leave. The President shall decide upon the relevancy of the matter thus read and upon the limitation as to length, but this decision shall be subject to appeal.

RULE 62. Any Senator may call for a statement of the pending question, which the President may give while seated.

RULE 63. Any Senator may call for a division of the question, and the decision of the President as to its divisibility shall be subject to appeal as in question of order.

RULE 64. All questions of order shall be decided by the President without debate; such decision shall be subject to appeal to the Senate by any two Senators; on which appeal no Senator shall speak more than once, unless by leave of the Senate, and the President may speak in preference to Senators, arising from his seat for that purpose.

RULE 65. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any member may, call him to order; and the Senator called to order shall take his seat, if required to do so by the President, until the question of order is decided.

RULE 66. If the decision be in favor of a Senator

called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed, in case any Senator objects, without leave of the Senate.

RULE 67. If a Senator call another to order for words spoken in debate, he shall, if required by the President, reduce to writing the language used by the Senator which he deemed out of order.

BILLS.

RULE 68. Bills shall be introduced either by a Senator in his individual capacity or as the report of a committee, in the regular order of business, or at other times on leave of the Senate upon a statement of the objects of the bill.

RULE 69. All bills shall be legibly written, typewritten, or printed, and shall bear the name of the author and must in all respects as to form comply with the laws and the rules of the Senate.

RULE 70. All bills shall have noted in their title a distinct reference to the subject or matter to which they relate, and, if they propose the amendment or repeal of any law, to the section proposed to be amended or repealed.

RULE 71. In all bills introduced which seek to amend existing statutes, any new matter contained therein shall be underscored by the author, and when printed the matter so underscored shall be printed in italics, and when an amendment is sought by the omission or elimination of matter in an existing law the author shall indicate such omission or elimination by asterisks and the printer shall follow such indicated marks in copy. No bill shall be sent to the printer by the Clerk which does not conform to these requirements.

RULE 72. Upon the first reading of a bill and

before it is printed the author may by leave of the Senate, make corrections in the form or phraseology of a bill, but after the bill has been read the second time such changes must be made in regular form by amendment.

RULE 73. If opposition be made to a bill on the first reading, the question shall be, "Shall the bill be rejected?" If the bill is not rejected, it shall pass to a second reading in the order of proceeding.

RULE 74. All bills shall be read the second time in the order in which they are introduced, and unless made a special order, shall be placed upon the calendar and read the third time in the order in which they are directed to third reading.

RULE 75. On the second reading of a bill the President shall state that it is ready for commitment or engrossment; if no motion or order be made to the contrary, it shall be committed to the committee of the whole Senate to be considered, in its order; if the bill be ordered to be engrossed, the Senate shall direct on what day it shall be read the third time; but no bill, having been amended, shall be read the third time without being actually engrossed. (See Rule 80.)

RULE 76. Amendments to all House bills made by the Senate, shall be engrossed in like manner as Senate bills, preparatory to their third reading.

RULE 77. When a question is lost on ordering a bill to be engrossed for a third reading on a particular day, it shall not preclude a motion to order it to be engrossed for a third reading on a different day, unless a division be called for; but if, on a division, the question on engrossing a bill without including the time for its third reading, shall fail, the bill shall be considered as lost.

RULE 78. After commitment and report to the

Senate, or at any time before its passage, a bill or resolution may be recommitted.

RULE 79. No bill or joint resolution shall be made a special order except by a vote of two-thirds of the members elected.

RULE 80. All bills and resolutions reported by a committee, with recommendation for passage or adoption, or ordered to be read the third time without reference, shall, unless the Senate otherwise order, be placed on the calendar for the second day following their being so reported or ordered, and the calendar for each day shall contain a list of all bills for third reading on the succeeding day.

RULE 81. Bills standing in order for third reading shall be taken up and read without a motion to that effect, and (unless otherwise ordered by the Senate) the question shall be put, "Shall the bill pass?"

RULE 82. When any bill which has been set for third reading on a given day shall for any reason be not read on that day, it shall stand for third reading on the first succeeding day when bills for third reading shall be reached in the regular order of business.

RULE 83. When a bill has been ordered for third reading on a certain day or at a certain hour, it shall not sooner be taken up except upon a two-thirds vote of the Senate.

RULE 84. In case a Senate or House bill is amended before being placed upon the calendar for third reading, the Clerk shall note the fact on the calendar that it has been amended.

RULE 85. On the passage of all bills making appropriations of money, or in concurring in House amenlments thereto, a separate vote on any item or items therein shall, on demand of any five Senators, first be had by yeas and nays, and entered upon the Journal; and every such item failing to receive the

votes of a majority of all the members elected to the Senate, as required by the Constitution, shall be stricken from the bill before the vote is taken upon its final passage.

RULE 86. When a bill has passed the Senate, the President or Clerk shall read its title, and the President shall demand if the Senate agree to its title; and if the Senate is agreed the Clerk shall make out the title accordingly, and shall certify the passage of the bill upon the back thereof.

RULE 87. No bill having been passed or resolution adopted, shall be delayed in transmission to the House because a motion for reconsideration has been made and remains undisposed of.

RULE 88. When a motion to reconsider is laid upon the table, it shall not carry the bill or resolution with it.

RULE 89. All bills and joint resolutions introduced shall be printed and distributed for the use of Senators.

AMENDMENTS.

RULE 90. No motion or proposition upon a subject different from that under consideration shall be admitted under color of an amendment.

RULE 91. A motion to strike out and insert shall be deemed divisible; and a refusal to strike out shall be equivalent to agreeing to the matter in that form, but shall not preclude further amendment by way of addition.

RULE 92. Matter inserted in or stricken from a bill by amendment can not be subsequently stricken from or inserted in the bill by amendment, thus restoring it to its original form, but this result may be reached by reconsideration, if in order.

RULE 93. After bills have been read the third time they shall not be amended, except by commitment

to a committee with instructions to amend, which instructions shall embody the amendment or amendments proposed.

RULE 94. No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith any other bill or resolution pending before the Senate.

RESOLUTIONS.

RULE 95. Resolutions may be offered by a Senator in his individual capacity or as a report of a committee in the regular order of business, or at any other time on leave of the Senate.

RULE 96. When a joint resolution is offered in the Senate or upon the first reading of a resolution received from the House, it shall go over for one day unless the Senate by a vote decides, without debate, upon its immediate consideration, or fixes a future time for its consideration, or refers it to a committee.

RULE 97. No Senate resolution proposing to appropriate money shall be in order; but money appropriated by law for the contingent expenses of either branch of the General Assembly may be disbursed by resolution of such branch. (State vs. Oglevee, 36 O. S., 324.)

PETITIONS AND MEMORIALS.

RULE 98. Petitions or memorials may be presented by any Senator or by a committee in the regular order of business, or on leave at other times, and shall be referred to appropriate committees, upon motion, without putting such motion, unless objection is made, in which case the Senate shall decide.

RULE 99. No petition or memorial shall be printed unless by special order of the Senate.

PROTESTS.

RULE 100. Any Senator may protest against any act or resolution of the Senate, and such protest and the reasons therefor, shall, without alteration, commitment or delay, be entered upon the Journal. (Sec. 10, Art. II, Const.)

RULE 101. All protests shall be couched in parliamentary language and come within the rules of Senatorial courtesy.

MOTIONS AND QUESTIONS.

RULE 102. Every motion shall be reduced to writing if the President or any Senator so desires; and whenever an amendment is offered to any bill or resolution under consideration by the Senate, or any amendment to such an amendment, the Senator proposing the same shall reduce it to writing and forward it to the Clerk's desk.

RULE 103. The following questions shall take precedence in the order named:

1. To adjourn.
2. To take a recess.
3. To lay on the table.
4. The previous question.
5. To proceed to the orders of the day.
6. To postpone to a day certain.
7. To commit.
8. To amend.
9. To postpone indefinitely.

RULE 104. The following questions shall be decided without debate, to-wit:

1. To adjourn.
2. To take a recess.
3. To lay on the table.
4. The previous question.
5. To take from the table.
6. To go into committee of the whole on the orders of the day.
7. All questions relating to the priority of business.

RULE 105. When a motion is made and seconded it shall be stated by the President; or being in writing, it may be read to the Senate by the President or Clerk before debate.

RULE 106. Questions shall be distinctly put in this form: "You who are of the opinion (as the question may be) say 'aye,'" and after the affirmative voice is expressed, "Those of a contrary opinion say 'no.'"

RULE 107. After a motion is stated or read by the President, or read by the Clerk, it shall be deemed to be in the possession of the Senate, but may be withdrawn, by leave of the Senate, at any time before a decision or amendment.

RULE 108. All questions, whether in committee of the whole or the Senate, except privileged questions, shall be put in the order in which they are made, except that in filling blanks the largest sum and the longest time shall be put first.

RECESS AND ADJOURNMENT.

RULE 109. The interim between any two sessions of the Senate on the same day shall be termed a recess, and on the re-assembling at the appointed hour

any question pending at the time of taking such recess shall be resumed without any motion to that effect; and unless the Senate shall otherwise order by resolution or motion the hour to which it shall adjourn shall be half past one o'clock p. m. the succeeding day; and the hour to which it shall recess shall be stated in the motion.

RULE 110. The Senate may adjourn from day to day, but can not adjourn for more than two days, Sunday excluded, without the consent of the House, or to any place other than that in which the two Houses shall be in session.

RULE 111. A motion to adjourn shall always be in order except while a member is speaking, while a vote is being taken, or when the Senate is under a call; but being decided in the negative shall not be again entertained until some motion, call or order shall have been acted upon.

POSTPONEMENT.

RULE 112. A motion to postpone to a day certain or indefinitely, being decided, shall not be again allowed at the same stage of the bill or proposition.

RULE 113. A motion to indefinitely postpone, if carried, is equivalent in effect to the defeat of a bill upon its final passage.

RULE 114. When a bill or resolution is postponed to a time certain it can not be considered at an earlier time, except upon the affirmative vote of two-thirds of all the Senators elected.

PREVIOUS QUESTION.

RULE 115. The motion for the previous question shall be entertained only upon the demand of three Senators. The President shall put the question in this form. "The Question is, 'Shall the Debate now close?' "

and until decided it shall preclude further debate and all amendments and motions, except one motion to adjourn, one motion to take a recess and one motion to lie on the table and one call of the Senate.

RULE 116. All questions of order arising after the demand for the previous question is made shall be decided without debate and without appeal.

RULE 117. After the demand for the previous question has been sustained no call or motion shall be in order, but the Senate shall be brought to an immediate vote, first upon the pending amendments in the inverse order of their age, and then upon the main question.

RULE 118. The "previous question" applies not only in its operation to pending amendments and subsidiary motions, but goes to the main question pending before the Senate.

RULE 119. Agreement to a motion to reconsider a vote on a "main question" does not revive the "previous question" and the matter is pending and subject to amendment and debate.

RULE 120. If a demand for the previous question be not sustained, the subject under consideration shall not thereby be postponed, but the business shall proceed as if no such demand had been made.

RECONSIDERATION.

RULE 121. A motion to reconsider a vote may be made only within two legislative days after the vote was taken (not including the days when the Senate was not in session), and the motion shall take precedence of all other questions except a motion to adjourn.

RULE 122. A motion to reconsider a vote may be made only by a Senator who voted upon the prevailing side, except that in case of the failure of a bill

or resolution on its final passage, the motion may be made by any member.

RULE 123. The vote on any question may be reconsidered by a majority of those voting, a quorum being present, except in the case of the failure of a bill or resolution on its final passage, in which case the motion does not prevail unless it receives the number of affirmative votes which would be required to pass the bill or resolution.

RULE 124. A motion to reconsider, if it prevail shall carry with it a request for the return of the bill or resolution if the same shall have gone out of the custody of the Senate.

RULE 125. A motion to reconsider having been once made and decided can not be renewed unless the question has been changed in form by amendment, after the first reconsideration.

RULE 126. The consideration of a motion to reconsider if made within the time specified may be postponed to a time certain; but the pendency of such undecided motion shall not operate to delay or affect the measure to which it relates.

RULE 127. It shall not be in order to reconsider the vote on a motion to reconsider, or on a motion to lay on the table when decided affirmatively, or on a motion to adjourn.

PRIVILEGES.

RULE 128. During the sitting of the Senate no person shall be admitted within the bar of the Senate, except members of the two Houses, their clerks, assistants and other officers, or persons charged with messages or papers for the Senate, clergymen by invitation of the President, the Governor of this or any other state. Judges of the Courts, heads of the different departments, members of Congress, gentlemen who have

been members of either branch of the General Assembly of this state, and those who, for the time being, are members of the General Assembly of other states, and ladies and gentlemen accompanying them, visiting the Senate Chamber; representatives of the Press who have been granted the privileges of the Senate, together with such other persons as may, at any time, be especially invited by any member of the Senate.

RULE 129. When the Senate is in session no person except members of the two houses, their clerks and officers, or representatives of the Press who have been granted the privileges of the floor shall be allowed upon the raised platform upon which are the desks and seats of the Senators.

RULE 130. No smoking shall be permitted in the Senate Chamber during sessions of that body, except by consent of the Senate.

RULE 131. Reporters for the newspapers and stenographers wishing to report debates or proceedings, may be admitted within the bar of the Senate by the President, who shall assign such places to them as shall not interfere with the convenience of the Senate; and the names of such persons so admitted, and the newspapers for which they respectively report, shall be announced by the President, and entered on the Journal.

RULE 132. Upon complaint, in writing made by any member of the Senate, addressed to the President, that any reporter or stenographer so admitted has abused the privileges granted him under the preceding rule, such complaint shall be referred to the Standing Committee on Privileges for investigation, and such committee shall notify the person so charged of the time and place for hearing, and if such accusation be sustained, such person or persons, upon the report of the committee, shall be debarred from the privileges theretofore granted.

DUTIES OF OFFICERS.

RULE 133. The Clerk shall keep an index record of all bills and resolutions introduced or offered in both branches, showing the number, title and author of each measure, the section sought to be amended or repealed and the subject or matter affected thereby. Such index record shall be accessible at all times when the Senate is in session to the members of the Senate.

RULE 134. The Clerk, subject to the approval of the Senate, shall designate one clerk as Deputy Clerk, who shall be his Chief assistant, have charge of his office, and perform his duties in case of his absence, death or disability, and the authority of such clerk so appointed shall be recognized and respected.

RULE 135. The Clerk shall have supervision, subject to the approval of the Senate, of all clerical work, and shall prescribe the duties of the clerks and stenographers and their assignment to labor, and fix the hours of their employment.

RULE 136. The Sergeant-at-Arms shall have supervision, subject to the approval of the Senate, of the assistant Sergeant-at-Arms, pages, porters, doorkeepers and other employes, assign their duties and prescribe their hours of employment.

RULE 137. The use of the Senate Chamber shall not be granted, at any time, by resolution or otherwise, for any other than legislative purposes, except by unanimous consent of the Senate.

RULE 138. A Senate bill or joint resolution which has passed or been adopted by both Houses shall be carefully enrolled by the Enrolling Clerk of the Senate in plain, legible penmanship, or in printing or typewriting, and shall then be referred to the Joint Committee of Enrollment, whose duty it is to compare the

enrolled bill or resolution with the engrossed copy thereof passed by the two Houses and correct any clerical errors which may be discovered and report forthwith to the Senate, the report to be signed by a majority of the Joint Committee.

OF THE RULES.

RULE 139. These rules shall not be altered except after at least one day's notice of the intention of alteration; and no rule shall be suspended, except by a vote of at least two-thirds of the Senators elected.

RULE 140. Cushing's Law of Legislative Assemblies shall be received as the rule in all cases not provided for in the foregoing rules; except where the Senate may determine otherwise by a yea and nay vote.

Rules of the House

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RULES OF THE HOUSE.

Duties of the Speaker.

To take the chair.

Rule 1. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned or taken a recess, and shall immediately call the members to order.

Examine the Journal.

Rule 2. The Speaker shall examine and correct the Journal before it is read.

May call member to preside.

Rule 3. The Speaker may name any member to perform the duties of the chair; but such substitution shall not extend beyond an adjournment.

Has Supervision of House.

Rule 4. The Speaker shall have a general direction of the hall, and shall preserve order and decorum in the proceedings of the House; and in case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker, or Chairman of the Committee of the Whole, may cause the same to be cleared.

To appoint committees.

Rule 5. The Speaker shall appoint all committees, unless it shall be other-

wise ordered by the House, in which case they shall be appointed by a vote of the House.

Sign bills, etc.

RULE 6. The Speaker shall, in the presence of the House, while the same is in session, sign all acts, addresses and joint resolutions, when passed by both houses; and all writs, warrants and subpoenas, issued by order of the House, shall be under his hand, attested by the Clerk, except when otherwise provided by law.

When the Clerk shall call House to order.

RULE 7. When both the Speaker and Speaker pro tem. are absent, at the hour to which the House shall have adjourned, or taken recess, except in the case mentioned in Rule 3, the clerk shall call the House to order, and the House shall proceed to choose some member to act as such until either the Speaker or Speaker pro tem. shall be present.

DUTIES OF MEMBERS.

Addressing the Speaker.

RULE 8. Whenever a member is about to speak he shall rise from his seat and respectfully address himself to "Mr. Speaker," and the Speaker shall announce the member from the county he represents; and if there be more than one representative from such county, then by adding the name of the member.

Who may speak first.

RULE 9. In all cases the member who shall first rise and address the Chair, shall speak first; but when two

or more members shall rise at once, the Speaker shall name the member who is first to speak.

May speak from another's seat.

RULE 10. A member may speak either from his seat, or from the seat of any other member, tendered him for that purpose, or from the Clerk's stand.

May speak but twice.

RULE 11. No member shall speak more than twice on the same question unless by leave of the House; and he shall confine himself to the question under debate, and avoid personality.

May read from books.

RULE 12. Any member, while discussing a question, may read from books, papers, or documents, any matter pertinent to the subject under consideration, without asking leave.

Statement of question.

RULE 13. Any member may call for a statement of the question, which the Speaker may give sitting.

May call for division.

RULE 14. Any member may call for a division of the question, and the decision of the Speaker, as to its divisibility, shall be subject to appeal, as in questions of order.

Must vote.

RULE 15. Every member present when the question is put shall vote, unless the House excuse him.

When may be excused from voting.

RULE 16. A request to be excused from voting, or an explanation of a vote shall not be in order, unless made before the House divides, or before the call of the yeas and nays is commenced.

Explaining a vote.

RULE 17. Any member requesting to be excused from voting, or desiring to explain his vote, may make a brief oral

statement of the reasons for making such request, and the question of excusing such member shall then be taken without further debate.

Of decorum.

RULE 18. While the Speaker or Chairman is putting any question or addressing the House, no one shall walk across the hall.

Same.

RULE 19. When a member is speaking no one shall pass between him and the chair.

Shall not be at Clerk's table during roll-call.

RULE 20. No member or other person shall remain at the Clerk's table while the yeas and nays are being called or ballots counted, except the Clerk and his assistants.

Demand for yeas and nays.

RULE 21. Any two members may demand the yeas and nays upon any question before the House divides; and, upon the call for the yeas and nays, the Clerk shall call over the names alphabetically.

Call of the House.

RULE 22. Any three members may demand a call of the House, and upon such call the names of the members shall be called alphabetically and the absentees shall be noted and sent for, unless otherwise ordered by the House.

ORDER OF BUSINESS.

Business.

RULE 23. As soon as the House is called to order prayer may be offered, and a quorum being present, the Journal of the preceding day shall be read, and if necessary, corrected by the House.

RULE 24. After the Journal has been read and approved, the order of business on Mondays and Saturdays, and on Tuesdays, when the House has not been in session on the preceding day, shall be as follows: **Its order.**

1. Presentation of petitions and memorials.
2. Resolutions and motions.
3. Introduction of bills—counties to be called in alphabetical order.
4. Bills for their second reading.
5. Reports of standing committees in their order.
6. Reports of select committees.
7. Resolutions laid over under Rule 84.
8. Bills for their third reading.

On all other legislative days, the order of business shall be as follows:

1. Bills for their third reading.
2. Resolutions laid over under Rule 84.
3. Reports of standing committees.
4. Reports of select committees.
5. Bills for their second reading.
6. Introduction of bills—counties to be called in alphabetical order.
7. Resolutions and motions.
8. Presentation of petitions and memorials.

RULE 25. The order of business shall not be changed, unless by unanimous consent, or a suspension of the preceding rule. **Not to be changed.**

Special order.

RULE 26. Any matter may be made a special order for a particular hour of a day, by a majority of the members present.

Privileged reports.

RULE 27. The Committee on Enrollment may report at any time when the House is not otherwise engaged.

Petition and memorials.

RULE 28. Every petition and memorial shall be referred on motion without putting the question for that purpose, unless the reference is objected to by a member at the time of its presentation.

Messages and communications.

RULE 29. Messages from the Senate and communications from either branch of the Executive Department of the State may be received, read and disposed of at any time, except when the Speaker is putting a question, while the yeas and nays are being called, or while ballots are being counted.

Of recess.

RULE 30. The interim between any two sessions of the House, on the same day, or between two or more calendar days, when the House shall so order, shall be termed a recess; and, on reassembling at the appointed hour, any question pending at the time of taking a recess, shall be resumed without any motion to that effect.

Hour of adjournments and recesses.

RULE 31. The hour to which the House shall stand adjourned, from day to day, shall be 1:30 o'clock p m. on Tuesdays, Wednesdays and Thursdays, and 9 o'clock a. m., on Fridays.

OF MOTIONS AND QUESTIONS.

Motion in writing.

RULE 32. Every motion shall be reduced to writing, if the Speaker or any member shall desire it.

Stating of motions.

RULE 33. When a motion is made, it shall be stated by the Speaker or being in writing, it shall be read audibly to the House by the Speaker or Clerk, before debate.

Motion may be withdrawn.

RULE 34. After a motion is stated by the Speaker or read by the Clerk, it shall be in possession of the House, but may be withdrawn, by leave of the House, at any time before a decision or amendment.

Priority of questions.

RULE 35. All questions, whether in committee or House, except privileged questions, shall be put in the order in which they are made, except in filling blanks, the largest sum or number and longest time shall be put first.

Statement of questions.

RULE 36. Questions shall be distinctly put in this form: "You who are of opinion (as the case may be) say aye," and after the affirmative vote is expressed, "Those of a contrary opinion say no." If the Speaker doubt, or a division be called for, the House shall divide; those in the affirmative vote of the question first rising from their seats, and afterwards those in the negative and the Speaker shall determine by count, announcing the number.

Order of motions.

RULE 37. When a question is under consideration, no motion shall be in or-

der except the following, which motions shall have precedence in the order named.

1. To adjourn.
2. To take a recess.
3. To proceed to the orders of the day.
4. To lie on the table.
5. For the previous question.
6. To postpone to a day certain.
7. To commit.
8. To amend.
9. To postpone indefinitely.

Roll call precludes motions.

RULE 38. After the Clerk has commenced to call the yeas and nays on any question, no motion shall be in order until a decision has been announced by the Chair.

Of reference to committees.

RULE 39. When a motion is made to commit to the committee of the whole or a standing committee, it shall not be in order to amend such motion by substituting any other committee; but if any other committee be suggested, the motion shall be put, first upon the committee or committees suggested, in the order in which they are named; but a motion to refer to the committee of the whole, to a standing committee, or to a select committee, shall have precedence in the order here named.

Of motions to postpone.

RULE 40. A motion to postpone to a day certain, or indefinitely, being decided in the negative, shall not be again

allowed at the same stage of the bill or proposition.

Of motions to adjourn.

RULE 41. A motion to adjourn being decided in the negative, shall not be again entertained until some motion, call, order, or debate shall take place.

Questions decided without debate.

RULE 42. The following questions shall be decided without debate:

1. To adjourn.
2. To take a recess.
3. To lie on the table.
4. The previous question.
5. To take from the table.
6. To go into the committee of the whole on the order of the day.
7. All questions relating to the priority of business.

OF AMENDMENTS.

Amendments.

RULE 43. No motion or proposition upon the subject differing from that under consideration shall be admitted under color of amendment.

Divisible questions.

RULE 44. A motion to strike out and insert shall be deemed divisible, and a motion to strike out on a division being negative, and a motion to insert being decided in the affirmative, shall be equivalent to agreeing to the matter in that form, provided that substitutes for bills or resolutions shall, for the purpose of amendment, be treated as original propositions.

RECONSIDERATION.

Who may reconsider.

RULE 45. A motion to reconsider a vote must be made by a member voting with the prevailing side, and such motion, to be in order, must be made within the next three days of actual session of the House, after such vote was taken, and the same shall take precedence of all other questions, except a motion to adjourn.

Majority of quorum to reconsider.

RULE 46. The vote on any question may be reconsidered by a majority of the members, a quorum being present.

Of bills lost.

RULE 47. When a bill or resolution is lost, and the vote is reconsidered, it shall not thereafter be committed to any other than a standing committee.

PREVIOUS QUESTION.

Form of and demand for previous question.

RULE 48. The previous question shall be in this form: "Shall the debate now close?" It shall be permitted when demanded by five or more members, and must be sustained by a majority vote, and, until decided, shall preclude further debate, and all amendments and motions, except one motion to adjourn, and one motion to lie on table.

No discussion while pending.

RULE 49. All incidental questions, or questions of order, arising after a motion is made for the previous question, and pending such motion, shall be decided whether on appeal or otherwise, without debate.

When call of House may be ordered.

RULE 50. On a motion for the previous question, and prior to voting on the same, a call of the House shall be in order; but after the demand for the previous question shall have been sustained, no call shall be in order; and the House shall be brought to an immediate vote—first upon the pending amendments in the inverse order of their age, and then upon the main question.

When not sustained.

RULE 51. If a motion for the previous question be not sustained, the subject under consideration shall be proceeded with the same as if the motion had not been made.

QUESTIONS OF ORDER

Members may be called to order.

RULE 52. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall or any member may call him to order, and the member called to order shall take his seat if required to do so by the Speaker until the question of order is decided.

Speaker to decide all.

RULE 53. All questions of order shall be decided by the Speaker without debate; but such decision shall be subject to an appeal to the House by any two members.

Of appeals from decision.

RULE 54. On an appeal from the decision of the Chair, no member shall speak more than once unless by leave of the House, except the member appealing, who may speak twice; and the Speaker may speak in preference to any other member.

Speaker has preference.

When member may proceed.

RULE 55. If the decision be in favor of the member called to order, he shall be at liberty to proceed. If otherwise, he shall not be permitted to proceed without leave of a majority of the House.

Members to state words objected to.

RULE 56. If a member call another to order for words spoken in debate, he shall (if required by the Speaker or the member called to order) reduce to writing the language used by the member which he deemed out of order.

To be noted by Clerk.

RULE 57. All questions of order with the decisions thereon, from which an appeal shall have been taken, shall be noted by the Chief Clerk, and put together at the end of the Journal at each session, together with the reasons given by the speaker for his decisions.

OF COMMITTEES.

Standing Committees and number.

RULE 58. The standing committees of the House of Representatives shall be appointed at the commencement of the regular session (by the Speaker) in the order and with a membership as follows:

1. Agriculture, 9 members.
2. Banks and banking, 9 members.
3. Boys' Industrial School, 7 members.
4. Cities, 14 members.
5. Claims, 9 members.
6. Common Schools, 11 members.
7. Corporations, 7 members.

8. County Affairs, 7 members.
9. Dairy and Food Products, 7 members.
10. Ditches and Drains, 7 members.
11. Elections, 9 members.
12. Enrollment (joint committee), 5 members.
13. Federal Relations, 7 members.
14. Fees and Salaries, 11 members.
15. Finance, 13 members.
16. Fish Culture and Game, 7 members.
17. Girls' Industrial Home, 7 members.
18. Hospital for Epileptics, 7 members.
19. Hospital for the Insane, 9 members.
20. Institution for the Blind, 7 members.
21. Institution for the Deaf, 7 members.
22. Institution for Feeble Minded Youth, 7 members.
23. Insurance, 9 members.
24. Judiciary, 11 members.
25. Labor, 9 members.
26. Library, 7 members.
27. Manufactures and Commerce, 7 members.
28. Medical Jurisprudence, 7 members.
29. Military Affairs, 7 members.
30. Mines and Mining, 7 members.
31. Prisons and Prison Reform, 7 members.

32. Privileges, 7 members.

33. Public Buildings and Lands, 7 members.

34. Public Printing, 7 members.

35. Public Ways and Turnpikes, 9 members.

36. Public Works, 9 members.

37. Railroads and Telegraphs, 9 members.

38. Rules, 7 members.

39. Soldiers' and Sailors' Home, 7 members.

40. Soldiers' and Sailors' Orphans' Home, 7 members.

41. Taxation, 13 members.

42. Temperance, 9 members.

43. Universities and Colleges, 7 members.

44. Villages, 7 members.

RULE 59. Any member may decline to serve on any committee, if, at the time, he is a member of three other committees.

Chairman.

RULE 60. The first named member of any committee shall be the chairman, unless the committee, by a majority of their number, choose some other member.

Reports of committees.

RULE 61. All reports of committees shall be signed by a majority of the members thereof, and the report, with the name of the member or members signing the same, shall be read by the Clerk or at the Clerk's desk by the member making the report, without a

motion, unless the reading be dispensed with by a majority of the House.

Shall not sit during sessions.

RULE 62. No committee shall sit during the daily sessions of the House, unless by special leave.

OF THE COMMITTEE OF THE WHOLE.

Committee of the whole—order of business in.

RULE 63. When the House shall be ready to proceed to the orders of the day, a motion to go into committee of the whole on the orders of the day shall have precedence of all other motions, except to adjourn, to take a recess, and for the previous question.

How formed.

RULE 64. In forming the committee of the whole, the Speaker shall leave the chair, and appoint a Chairman, who shall preside and vote as other members.

Order of business.

RULE 65. In the committee of the whole, bills shall be read by the Chairman, or Clerk, and be considered by sections, unless it shall be otherwise directed by the committee, leaving the preamble to be last considered.

How proceedings kept.

RULE 66. The body of the bill shall not be defaced or interlined, but amendments shall be noted by the Chairman, or Clerk, on a separate piece of paper as the same shall be agreed to by the committee, and so reported to the House.

Action on reports of

RULE 67. After being reported, the bill and amendments of the committee shall be immediately taken up for consideration, unless it shall be otherwise

ordered by the House, and again be subject to discussion or amendment, before the question to engross shall be taken.

Of rules governing.

RULE 68. The rules of proceeding in the committee of the whole shall be the same as in the House, as far as may be applicable.

OF BILLS.

Order of consideration of.

RULE 69. All bills shall be introduced in duplicate and shall be placed on the calendar and considered in the order in which they were introduced, unless otherwise provided.

On rejection of

RULE 70. If opposition to the bill be made on first reading, the question shall be: "Shall the bill be rejected?" If the bill is not rejected it shall pass to a second reading in the order of proceeding.

Shall be printed.

RULE 71. All bills shall be printed and distributed for the use of the members before the second reading thereof, in the order in which they were introduced.

Second reading.

RULE 72. On the second reading of a bill the Speaker shall state that it is ready for commitment or engrossment; and, if no motion or order be made to the contrary, it shall be committed to the committee of the whole to be considered in its order.

Of bills in committee of the whole.

RULE 73. When a bill has been referred to the committee of the whole, the House shall determine on what day it shall be considered by the committee.

Of third readings.

RULE 74. When a bill is ordered to be engrossed, it shall be placed upon the calendar for its third reading for the second day following, unless the House by a majority vote otherwise orders, and the calendar for each day shall contain a list of all bills for third reading on the succeeding day.

Senate bills to be re-engrossed when amended.

RULE 75. All the Senate bills, when altered or amended by the House, shall be engrossed in like manner as House bills preparatory to their third reading; and all bills ordered to be engrossed shall be executed as required by the joint rules.

Question of engrossment.

RULE 76. When a question is lost on engrossing a bill for a third reading on a particular day, it shall not preclude a question to engross it for a third reading on a different day, unless a division be called for; but if on a division, the question on engrossing a bill without including the time for its third reading, shall fail, the bill shall be lost.

Bills on calendar taken up without motion.

RULE 77. Unless otherwise ordered by a two-thirds vote of the House, bills on the calendar for third reading shall be taken up and read in their order without a motion to that effect, and the question shall be: "Shall the bill pass?"

Question when bill is vetoed.

Whenever a bill shall be returned to the House by the Governor, with objections thereto, the question shall be: "Shall the bill pass notwithstanding the objections of the Governor?" Whenever a section or item of a bill shall be

returned to the House by the Governor, with objections thereto, the question shall be: "Shall the section (or item, as the case may be) pass notwithstanding the objections of the Governor?"

Of recommitment.

RULE 78. After the commitment and report thereon to the House, or at any time before its passage, a bill may be recommitted.

How amended.

RULE 79. After a bill has been read a third time, it shall not be amended, except by reference to a committee with instructions to amend which instructions shall embody, substantially, the amendments proposed, and such amendment shall be reported back, forthwith, unless otherwise ordered by the House.

Only one part of bill to be amended in same motion.

RULE 80. When a bill is on its third reading any number of references may be made with instructions to amend; but pending a motion to refer, with instructions to amend one part of the bill, it shall not be in order to amend the instructions by directing an amendment of any other part of the bill. One amendment shall not prevent another in any other part of the bill.

Bills not to be united.

RULE 81. No bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

Separate vote on items.

RULE 82. On the passage of all bills making appropriations of money, or in concurring in Senate amendments thereto, a separate vote on any item, or items

therein, shall, on demand of any ten members first be had by yeas and nays, and entered upon the Journal; and every such item failing to receive the majority of all the members elected to the House shall be stricken from the bill before taking the vote upon its final passage.

Of the title.

RULE 83. When a bill has passed the House, the Speaker shall read its title, substituting the word "act" for the word "bill," and shall demand if the House agree to the title; and if the House is agreed, the Clerk shall make out the title accordingly, and shall certify the passage of the bill upon the back thereof.

OF RESOLUTIONS.

Resolutions to lie over.

RULE 84. The following resolutions, except such as relate to the business of the day on which they are offered, shall lie over one day before being considered.

1. All joint resolutions.

2. House resolutions giving rise to debate.

Yeas and nays on.

RULE 85. Upon the adoption of a resolution involving the expenditure of money, or having the force and effect of law, or which determines or involves the right of a member to a seat in the House, the yeas and nays shall be taken and entered on the Journal.

Votes required on.

RULE 86. No resolution involving the expenditure of money, or having the force and effect of law or which deter-

mines or involves the right of a member to a seat in the House shall be adopted, unless a majority of all the members elected to the House concur therein.

INDEX OF BILLS.

Index record.

RULE 87. It shall be the duty of the Chief Clerk to keep an index record of all bills and resolutions introduced or offered in both branches, showing the number, title and authorship of each measure, the section sought to be amended or repealed and the subject or matter affected thereby. Such index record shall be accessible at all times when the House is in session to the members of the House.

DUTIES OF CLERKS AND STENOGRAPHERS.

Supervision of clerical force.

RULE 88. The Clerk shall have supervision, subject to the approval of the House, of all clerical work, and shall prescribe the duties of the clerks, pages and stenographers and their assignment to labor, and fix the hours of their employment.

COMPENSATION FOR EMPLOYES.

As to extra compensation to employes.

RULE 89. No compensation, allowance, or perquisite shall be voted to any officer, employe, or appointee of the House other than that prescribed by law, and this rule shall not be altered or suspended except on three days'

notice, and by a two-thirds vote of all the members elected to the House.

Privileges.

Persons admitted to House.

Rule 90. During the session of the House, no person shall be admitted within the hall of the House, excepting the following:

1. Members of the two Houses, their clerks, assistants and other officers or persons charged with any message or paper for the House.
2. The Governor of this State.

Visitors not to remain on raised platform.

Rule 91. During the session of the House no person, other than a member or an officer of either House shall be permitted upon the raised platform appropriated for the desks and seats of the members. No smoking shall be permitted in the body of the hall of the House.

Giving use of hall.

Rule 92. The use of the hall of the House shall not, at any time, by resolution or otherwise, be granted for any other than legislative purposes.

Reports.

Rule 93. Reporters for newspapers and stenographers wishing to report debates or proceedings, may be admitted within the bar of the House by the Speaker, who shall assign such places to them as shall not interfere with the convenience of the House, and the names of such persons so admitted, and the newspapers for which they respec-

tively report, shall be announced by the Speaker, and entered on the Journal.

Abuse of privileges.

RULE 94. Upon complaint, in writing, made by any member of the House, addressed to the Speaker, that any reporter or stenographer so admitted has abused the privileges granted him under the preceding rule, such complaint shall be referred to the standing committee on Privileges for investigation, and such committee shall notify the person so charged of the time and place for hearing and if such accusation be sustained, such person or persons upon the report of the committee, shall be debarred from the privileges therein granted.

CALENDAR.

Order of bills on.

RULE 95. Bills for their third reading, and all special orders, shall be placed upon the calendar in the order of priority in which the order is made.

Bills not disposed of.

RULE 96. Bills for their third reading on a particular day, not reached on that day, shall be placed first on the calendar in the order of third readings of each succeeding day, until disposed of.

When may be taken up out of order.

RULE 97. No bill upon the calendar shall be taken up out of its order thereon, except by a two-thirds vote of the House.

OF THE RULES.

How rules may be altered.

RULE 98. These rules shall not be altered except after at least three legis-

lative days' notice of the intended alteration, and by a vote of a majority of all the members elected to the House.

How to suspend rules.

RULE 99. No rule shall be suspended except by a vote of at least two-thirds of all the members present; provided that Rule 89 shall not be altered or suspended, except as therein prescribed.

Cushing's law to be received.

RULE 100. Cushing's Law and Practice of Legislative Assemblies shall be received as a rule in all cases not provided for in the foregoing rules.

Joint Rules

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Joint Rules of the 77th General Assembly of Ohio.

RULE 1. Whenever the two branches of the General Assembly shall convene for any purpose required by the constitution or laws of the State, such convention shall be held in the hall of the House of Representatives unless otherwise ordered by a joint resolution of the two branches. During all such conventions each branch shall be held to be in session as a separate branch of the General Assembly and be governed by its own rules; and except in voting at elections, where each member is entitled to a separate vote, shall act as such, and no question shall be considered as carried otherwise than by the concurrent action of both branches; provided, that either branch may, by a vote of a majority of all its members, dissolve such convention by withdrawing therefrom; and such convention may, by the concurrent vote of the two branches, take a recess, or adjourn to a time certain; but such recess or adjournment of the convention shall not be held to be an adjournment or recess of either branch, nor to prevent either from proceeding with its usual business during such recess or adjournment of the convention.

RULE 2. In all elections in joint session, a majority of the votes cast shall be necessary to a choice.

RULE 3. All bills introduced in either House shall be legibly written, typewritten, or printed, and shall bear the name of the author and must in all respects

as to form comply with the laws and the rules of the General Assembly.

RULE 4. All bills shall have noted in their titles a distinct reference to the subject or matter to which they relate, and also if they propose the amendment or repeal of any law, to the section proposed to be amended or repealed.

RULE 5. In all bills introduced which seek to amend existing statutes any new matter contained therein shall be underscored by the author, and when printed the matter so underscored shall be printed in italics; and when amendment is sought by the omission or elimination of matter in an existing law the author shall indicate such omission or elimination by asterisks and the printer shall follow such indicated marks in copy. No bill shall be sent to the printer by the Clerk which does not conform to these requirements.

RULE 6. When a bill or joint resolution has been passed or adopted in either House, notice shall be ofrthwith given to the other House.

RULE 7. When a bill or joint resolution which shall have been passed in one House is rejected or lost in the other, or postponed indefinitely, notice thereof shall forthwith given the other House.

RULE 8. When a bill or joint resolution which has passed one house and been amended, passed and returned by the other the question shall be upon concurrence in the amendment or amendments, and the same number of votes shall be required to concur as was required to pass the bill or resolution in the House in which it originated.

RULE 9. If the House refuses to concur in the amendment, notice shall be forthwith sent to the other House where the proceedings will be in the following order:

FIRST, to insist upon its amendment and ask for a committee of conference;

SECOND, to recede from its amendments, which has the effect of passing the bill in the form in which it passed the House in which it originated;

THIRD, to adhere to its amendment, which precludes a Committee of Conference.

COMMITTEE OF CONFERENCE.

RULE 10. All committees of conference shall consist of three on the part of the Senate, and three on the part of the House, unless otherwise specially ordered by both Houses.

RULE 11. Whenever any committee of conference of the two Houses shall disagree, other committees may be appointed; and if either of the two Houses shall disagree to any report of a committee of conference, such House shall forthwith notify the other of such disagreement, and request another committee of conference; and thereupnoo another committee shall be appointed.

RULE 12. A committee of conference appointed to consider matters of difference between the two Houses upon any bill or resolution, may consider and include in its report any amendments pertinent to the bill or joint resolution whether or not the form or substance of such amendments relate exclusively to the original matters of difference, or the committee may offer a substitute for said bill or resolution.

RULE 13. The report of a conference committee is always in order except during a roll call or division, and can not be laid on the table, referred to a committee or indefinitely postponed, and must be voted upon as a whole.

RULE 14. All messages sent from one House to the

other shall be carried by an officer or employee of said House who shall give a receipt for the same to the message clerk from whom he receives the message. He shall deliver the message without delay to the Clerk of the House to which it is sent and take a receipt therefor from the Clerk of said House or some of his assistants authorized by him to receipt for messages. The receiving clerk shall deliver such message to the presiding officer of the body, who shall in the proper order of business and within a reasonable time lay such messages before the House.

RULE 15. All bills and resolutions, before they are passed or adopted by either House, shall be carefully engrossed in plain hand-writing, in printing or in typewriting, and the engrossed copy carefully compared with the original bill and the Journal showing the amendments agreed to.

RULE 16. When any bill shall have passed one House, and shall be amended in the other, the amendments shall be engrossed upon a separate piece of paper, and the bill, as amended, shall be fully engrossed, and both returned, with the engrossed bill received from the other House, to the House in which it originated. In such engrossments, sections of bills and joint resolutions amended shall be engrossed in a plain engrossing hand-writing, in printing or typewriting. Whenever a bill shall be passed in one House and sent to the other and a substitute therefor is agreed to by such house, in the communications between the Houses such substitute shall be designated and treated as an amendment to the original bill, and the message relating thereto shall definitely show as in case of other amendments, how the original bill is amended.

RULE 17. A bill or joint resolution which has passed or been adopted by both Houses shall be carefully enrolled in plain, legible penmanship or in print-

ing or typewriting, and shall then be examined by a joint committee of five members from each House, to be appointed a standing committee for that purpose, whose duty it shall be to compare the enrolled with the engrossed bill or joint resolution passed by the two Houses, and correct any clerical errors which may be discovered and report forthwith to their respective Houses, the report to be signed by a majority of the joint committee.

RULE 18. No bill shall be subject to amendment, commitment, or other action of either House after the enrolling committee shall have reported to either House the same to be correctly enrolled; provided, however, that this rule shall not apply to proceedings upon bills returned to the General Assembly.

RULE 19. Each bill and joint resolution shall be first signed by the Speaker of the House of Representatives, and then by the President of the Senate, who shall fix the date and hour thereto, and be by him delivered to the Clerk of the Senate who shall immediately transmit each bill so passed to the Governor of Ohio, taking a receipt therefor, and each joint resolution to the Secretary of State, taknig a receipt therefor. When any bill shall have been disapproved by the Governor and subsequently enacted into law over such veto, in accordance with the provisions of the constitution, the enrolled copy shall be endorsed with the record of the proceedings in each House subsequent to the vote, attested by the Speaker of the House and President of the Senate, and shall be by the Clerk of the Senate transmitted to the Secretary of State, who shall cause a receipt to be given therefor.

RULE 20. When a bill or joint resolution shall have passed either House, and been sent to the other for concurrence, such bill or joint resolution shall take precedence on the calendar of all bills, joint resolu-

tions or resolutions not yet passed or aodpted by the House in which they are originated; provided, that such bills or joint resolutions shall not take precedence of other bills or joint resolutions which may have been carried over from an unfinished calendar.

RULE 21. Any bill on the calendar for third reading informally passed, and which was not subsequently called up for consideration shall be placed in its order at the head of the calendar of bills for third reading on the succeeding day.

RULE 22. The chairman of each committee of the Senate and House of Representatives shall, at some time before the final consideration of any bill referred to this committee, if objection thereto be made or material amendment offered in committee, give verbal or written notice to the author of the bill, fixing a time when he may be heard by the committee.

RULE 23. The yeas and nays shall be called in each House on the adoption of all joint resolutions and upon concurrence in amendments made by one to a bill or resolution originating in the other, and upon the adoption of the reports of conference committees.

RULE 24. The clerks of the Senate and House of Representatives shall cause a calendar for each branch of the General Assembly to be printed and placed upon the desk of each Senator and Representative before the opening of each daily session, showing for the day bills for second reading, the bills for third reading, and the special orders of the day.

RULE 25. The calendar may also show such other information relating to the business of the Houses as the chair or the Clerk may desire to bring to the attention of the members.

RULE 26. When a message shall be transmitted to the General Assembly by the Governor expressing his disapproval of any bill, section, or item of a bill which

has been passed by the General Assembly, the question shall be presented in each House as follows: "Shall the bill (section or item, as the case may be) be passed notwithstanding the objections of the Governor?"

Parliamentary Practice

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Parliamentary Practice of the House of Representatives, Ohio General Assembly.

By E. W. Doty.

The parliamentary procedure in both Houses of the General Assembly of Ohio, is extremely simple when compared with that of Congress or of almost any other State Legislature. It is based largely upon the rights of the individual member rather than upon the centralization of power in the hands of the officers or of one or two committees. The rules look rather to the life of all measures than to their failure.

Simple as these rules are, to the uninitiated they ofttimes appear to be complicated. The object of the following pages is to present the procedure of the Ohio House of Representatives — and the procedure of the Senate is in all important particulars identical — in such a way that the new member may learn, without the more or less tedious delay of experience, the many things that will be of value to him in the preparation and carrying through of desired legislation.

Especial attention is directed to that portion devoted to the "Preparation of Bills." Much time and energy may be saved by giving attention to the proper form of measures that are to be introduced. Many members present bills drawn by attorneys. Because measures are thus drawn they are supposed to be in perfect form. It should not be overlooked that, while lawyers may safely be followed as to the language desired for a proposed law, it is not strange that they are unfamiliar with the legislative forms necessary

properly to prepare a bill. It is well therefore for members to examine all bills as to legislative form before presenting them.

Another important portion is that devoted to the "Stages of a Bill." Business in a legislative body, conducted as it is by officers who understand the principles and details affecting business, glides along rapidly and certainly, but in a way that is confusing to one who is inexperienced or is ignorant of the rules and their application. It is attempted in this portion to separate each step that a bill takes one from the other and point out the importance of many things that are quickly and seemingly hurriedly done in actual practice. Thus when a member desires to take advantage of a parliamentary situation he may know what his rights are and how to accomplish a desired end. The method of treating this important part of the subject is to follow a bill through the House step by step, explaining what is usual as well as what is possible at each stage. It is believed that this will be of material assistance to all the members of the General Assembly and especially to those who have not yet had experience therein.

To all of this has been added some information as to motions and general practice. The rules of the House are, of couse, the basis of all that is set forth.

Preparation of Bills.

All bills before they are introduced should be typewritten (or printed) on one side of the paper only. When the original copy is made a duplicate should be made at the same time, for the use of the reporters, as it will facilitate the dissemination of accurate information concerning the proposed measure.

The title of a bill must always contain not only a description of the laws that it is sought to repeal or amend, but also a brief description of the subject matter. A title commences with the words "A Bill to," etc.

All bills must commence with the words, "Be it enacted by the General Assembly of the State of Ohio." Then comes "Section 1, That," etc.

In amending laws already upon the statute books, a distinction ought always to be made between those statutes that are properly described as "Revised Statutes," and those that are not, notwithstanding they may be found in the same set of books. All statutes that are properly to be called Revised Statutes are regularly numbered in the volumes of Revised Statutes without the use of parentheses. Wherever parentheses are used such numbering must be ignored and the title of the statute of which that section is a part, must be procured from the session laws. The volume number of these session laws is usually found at the end of each sectional paragraph, so that this information is easily ascertained. The numbers in parentheses are for indexing purposes only and are not a part of the Revised Statute numberings and should never be used in the preparation of bills.

Whenever an existing statute is to be amended, the section as it is proposed to be must be set forth in full

and the old section properly described must be repealed. All new matter must be underscored or printed in italics, and wherever any words of the former statute are omitted asterisks must be inserted. The object of these two provisions is to set forth plainly all the changes proposed.

All laws go into effect immediately upon passage, unless otherwise specially fixed; it is, therefore, no longer necessary to use the words, "This act shall take effect on its passage," or any similar words.

Stages of a Bill.

1. Introduction and first reading.
2. Second reading.
3. Engrossment.
4. Third reading.
5. Passage.
6. Enrollment.
7. Certificate of passage by Speaker and President.
8. Approval or disapproval by Governor.

I. Introduction and First Reading.

The introduction of a bill by a member is upon his own right as such member, and not by leave of the house, if done in the regular order. If out of the regular order, it must be by consent of the House, obtained by request in the usual way. Upon the introduction of a bill it is read the first time by the Clerk. The House may reject a bill upon its first reading, which arises in this way: A member enters his objection by obtaining recognition and saying, "I object to the bill;" whereupon the question before the House is, "Shall the bill be rejected?" A majority vote rejects the bill, and it is at once defeated without further procedure. A yea and nay vote is not necessary, but may be demanded.

When the bill has been read the first time by the Clerk the Speaker announces, "First reading of the bill," and it has passed its first stage, and lies upon the table until at least one day has elapsed before further action may regularly be taken. During that time it is printed.

The first reading of a bill may not be reconsidered.

NOTE. — The introduction and first reading of a bill is in a sense a pro forma proceeding, coming to be such by custom. Rejection of a bill is a very extraordinary proceeding and is attempted so seldom that it has come to be one of the most difficult ways to defeat a measure. After a bill is read the first time, it remains in the possession of the Clerk, and by him it is printed, which printing is supposed to be accomplished before the next stage of the bill is reached by the House the subsequent day. This is not always actually accomplished. If the bill passes immediately from its first stage to its second, which may be ordered by the House, if two-thirds of its membership so determines, the bill does not remain in the possession of the Clerk and so is not printed. A bill to be printed, as most bills are, must take its regular course from its first to its second reading.

2. Second Reading.

The second reading of a bill is usually by its title only, which procedure must be agreed to by two-thirds of the membership of the House. As the custom of the House precludes action that is final upon the bill at its second reading, this method of reading of a bill has prevailed for many years. The House, however, may defeat or delay consideration of a bill at its second reading, as at any other stage, by the usual parliamentary tactics, such as moving an indefinite postponement, to lie upon the table, postponement to a day beyond the life of the body. After a bill has been read the second time, the Speaker announces, "The bill is ready for commitment or engrossment." That is, it is ready to be referred to committee or advanced to its next stage, engrossment. If the House refuses to commit and refuses to advance to engrossment, the bill is at once defeated; the procedure to accomplish this requires a decision by the House on the question of engrossment.

The second reading of a bill may not be reconsidered.

NOTE. — After a bill has been read the second time by the Clerk, the Speaker announces "Second reading of the bill. The bill is ready for commitment or engrossment." It is for the House to say whether the bill shall be advanced to its next stage, which is engrossment, or be committed to a committee for consideration, which may or may not include the proposal of amendments. Most bills are at this point turned aside from their course and referred to committees, of which there are more than forty in the House. Between this turning aside and the next stage of the bill, the committee having a bill may retain possession thereof as long as it choses, unless the House, by a majority vote, orders its return. If the committee recommends amendments, the question at once arises, "Shall the report of the committee be agreed to?" If a majority of the House agrees to the report, the bill is amended in

accordance with the report of the committee. If the committee recommends passage of the bill as it stood when committed, no action of the House is then necessary upon the report itself. If the report of the committee recommends indefinite postponement, the same question arises as in the case of proposed amendments, and an agreement to such report defeats the measure by indefinite postponement. After the House has accepted any report of a committee which does not interfere with the life of a bill, such bill is ready to be advanced to its next stage, engrossment.

3. Engrossment.

The engrossment of a bill consists in the preparation of the bill by the Clerk. That official produces the document, upon which the House is finally to act, and must exhibit the bill as the record of the House shows it to be. The engrossment of a bill is usually accomplished in this way: After a bill has been reported by a committee, the Speaker says, "If there is no objection, the bill will be engrossed. When shall it be read the third time?" If there is no objection at this point, the bill is in this way ordered engrossed by the House, and to all intents and purposes it is then actually engrossed, although the mechanical work to that end may follow later. There is no question that naturally arises upon the engrossment of a bill; it is usually ordered by the House by unanimous consent. However, the House might defeat a measure at this stage by refusing to order a bill to be engrossed. Such a motion would have to be made at this point, and a majority vote of the House could refuse to engross a bill, in which case the measure is at once defeated.

The engrossment of a bill may not be reconsidered.

NOTE. — A bill is engrossed, if possible, so that its lines are numbered the same as the numbers of the lines in the bill as found in the members' printed bill books. The engrossment of bills is ordered by the House upon the announcement of the Speaker, so that it is often difficult for members to recognize engrossment as one of the necessary and important stages of a bill. When the House has ordered a bill engrossed, it at once fixes the time for the third reading. At the conclusion of the question, "When shall the bill be read for the third time?" the House orders it read the third time, "To-morrow," or at some definitely fixed time. If it be "to-morrow," the bill goes upon the calendar for the next legislative day in its regular order. If for a time specifically set, it is called a "Special Order,"

and such special order goes upon the calendar for the day so fixed with the time mentioned at which the House has agreed to consider the bill. A majority vote of the House may make a special order.

4. Third Reading.

Bills for third reading come up in the order as set forth upon the calendar, unless the House by a two-thirds vote changes that order; or, they come up at the time specially set previously by the House. The Speaker calls up the bill and the Clerk reads it, after which the Speaker says, "Third reading of the bill," and the question at once arises under the rules, and is so stated by the Speaker, "The question is, Shall the bill pass?" That is the question that is then before the House, and remains before the House until disposed of in any one of the many regular ways.

The third reading of a bill may not be reconsidered.

NOTE. — It is after a bill has been read the third time that it is usually debated, if at all. Custom has fixed this as the time when amendments may be offered by members of the House. After a bill has been engrossed and read the third time, it is out of order for amendments to be proposed by any standing committee or directly by any member; the House itself does the amending of such a bill by agreement to appoint a special committee of one to amend forthwith the bill in accordance with definite and written instructions. When a member desires to amend a bill, the form of his motion is, "I move to refer the bill to a select committee of one with instructions to amend as follows," and then must follow in writing the proposed amendment, whether it be one word or several pages. Upon the adoption of such a motion, the member making it is usually appointed such committee and he at once announces that he has amended the bill as instructed by the House. If a member desires to amend the amendment first proposed, the form of his motion is, "I move to amend the instructions to amend as follows," and his amendment must also be in writing. The time for debate is usually unlimited, although the House, when its calendar becomes crowded and it has a large amount of business to do, sometimes makes a special rule governing debate.

5. Passage.

When the House is ready to respond to the question, "Shall the bill pass?" the Clerk calls the roll, and if a majority of all the members elected to the House shall vote for the bill it is passed, if a majority does not so vote it is lost; the number of votes against a bill has no effect, only the members voting for it.

The vote whereby a bill was passed may be reconsidered; a vote whereby a bill was lost may be reconsidered.

NOTE. — Because of the constitutional requirement that a bill shall receive a majority of all the members elected to the House, the pairing of votes, as is done in legislative bodies where a majority of a quorum may pass a bill, is not possible. A member who does not vote upon a bill bears the same relation to its passage as one who votes against it.

6. Enrollment.

NOTE. — Between the passage of a bill and the stage, enrollment, the action of the House is certified to the Senate by the Clerk. This is done by sending a message to the Senate, stating the fact and asking for favorable consideration by the Senate. The bill then goes through the same stages as it did in the House up to this point. If the Senate also passes the bill, it so notifies the House and the bill is ready for its next stage, enrollment.

Enrollment consists of the preparation by the Clerk of a true copy of the bill as it finally passed the two Houses. When this copy is completed, it is examined by the standing committee on enrollment, consisting of members of both the Senate and House, and this committee certifies to the House that it is a true copy of the bill.

NOTE — The enrollment of a bill may come any time after its passage by the two Houses and before final adjournment.

7. Certificate of Passage by Syeaker of the House and President of the Senate.

When the standing committee on enrollment reports a bill, the Speaker affixes his name, thus certifying that the House has passed the bill. After this has been done the enrollment committee, which is a committee having members in both Houses, reports the bill to the Senate, and the President of the Senate affixes his signature. This document is then sent to the Governor for his consideration.

No stage of the bill may be reconsidered by either House after the Speaker has signed the enrolled copy.

NOTE. — The date of the passage of a bill is taken from the date when the President of the Senate places his signature upon the enrolled copy.

8. Approval or Disapproval by the Governor.

This is a stage of the bill with which the General Assembly has nothing to do. If the Governor approves, the bill is at once a law. If the Governor disapproves or vetoes, he returns it at once to the House in which it originated, with any reasons for his action he may desire to give, which reasons are spread upon the journal. The question then arises of itself, "Shall the bill pass, notwithstanding the objections of the Governor?" If the required number vote in favor of it, the bill is sent to the other House where similar action makes it a law, notwithstanding the veto of the Governor. The bill is then further certified by the Speaker and President of the Senate and sent at once to the Secretary of State.

NOTE. — It requires at least a two-thirds vote of all the members of the House to pass a bill over the Governor's veto and also as many votes as the bill had originally upon its passage. If a bill is passed by less than a two-thirds vote and yet by a constitutional majority, it would then require a two-thirds vote to pass it over the veto; but if the bill had, say one hundred votes upon its passage, it would require at least one hundred votes to pass it over the veto. When the House desires to acquiesce in the Governor's veto without a record vote, it is done by moving to indefinitely postpone the bill, at the time when the question arises, "Shall the bill pass, notwithstanding the objections of the Governor?"

Conference Committees.

When a bill has passed one house it is submitted to the other. The second house may amend the bill, submitting in turn those amendments to the first house. The first house, after due consideration, refuses to amend the bill in the way the second house has done. This produces a disagreement between the two houses and a committee of conference is appointed to adjust these differences and reconcile if possible the two houses upon some common ground.

Following is what leads up to a committee of conference report on, say a House bill:

The bill is passed by the House of Representatives.

A message is sent to the Senate with a certified copy of the bill as it passed the House, asking that the Senate concur.

The Senate, after due process and deliberation, amends the bill and then passes it.

The Senate sends a message to the House announcing that it has concurred in the passage of the bill "with the following amendment," and then follows the amendment; the House is requested by the Senate in this same message to concur in the amendment submitted.

The House proceeds to vote upon the amendment which fails to obtain the requisite number of votes.

The House notifies the Senate, by message, that it has refused to concur in the amendment and asks that the Senate recede therefrom.

The Senate refuses to recede, but, instead, insists upon its amendment and requests the appointment of a committee on conference on matters of difference between the two Houses on House Bill No. —; and a message is sent to the House so stating this action.

The House grants the request and appoints a committee of conference, usually three on the part of each House, though it may be any number. The Senate always insists upon a number equal to the number appointed by the House, or would if there were any controversy over it, because a conference committee, after appointed, may make a report whenever a majority of its members, irrespective of which house they are members, are ready to sign it.

The report of a conference committee may take cognizance not only of the actual differences but of other portions of the bill that might be changed to effect the compromise necessary to bring about an agreement.

The report of a committee on conference may be made in any order of business but when it is made, it is subject to the operation of any proper subsidiary motions.

The report of a committee on conference must receive as many votes, taken by yea and nay, as required to pass the bill in the first instance.

Resolutions.

House resolutions are of two kinds.

First: House Resolutions.

Second: House Joint Resolutions.

House resolutions pertaining to the business of the day on which they are offered, may be considered immediately. House resolutions giving rise to debate and not relating to the business of the day, lie over one day before being further considered.

NOTE. — In general practice the rule governing this is often suspended by the two-thirds vote required, and the resolution considered immediately. All House resolutions calling for the expenditure of money, involving the rights of members to seats in the House require a yea and nay vote; the first requires a two-thirds majority vote of all the members elected to the House; the second a majority.

House Joint Resolutions are those which require the concurrence of the Senate. They lie upon the table one day after being offered, but are not printed unless ordered by the House.

NOTE. — A majority vote of all the members elected to the House is required to adopt a joint resolution. Money may not be appropriated from the state treasury by resolution, but may be thus expended from any money already appropriated.

Joint resolutions originating in the Senate are called Senate Joint Resolutions and after adoption by the Senate are sent to the House where they require the same procedure as a House Joint Resolution.

NOTE. — Any amendment to a joint resolution by one house requires the same vote in concurrence as required for the passage of the resolution originally.

A House Resolution commences, "Resolved, That" and then follows the subject matter.

A Joint Resolution commences, "Be it Resolved by the General Assembly of the State of Ohio, That," and then follows the subject matter.

Motions and Procedure.

ADJOURN.— A motion to adjourn is always in order except when the House is in the act of voting upon a pending question; except that a simple motion to adjourn gives way to a motion "to fix the *day* to which the House shall adjourn." A motion "to fix the *hour* to which the House shall adjourn," does not take precedence of a motion to adjourn.

To fix time to which to.— If it is desired to have a session of the House at some future time different from that provided in the rules, it is best some time during the session then existing to move, "That when the House adjourns, it be to," here naming the time. If this motion is made when any other question is pending, it may not be amended nor debated; if made when no other question is pending, it may be both amended and debated.

To, to a particular time.— If previously it had been determined that when the House adjourns it be to a particular time, the Speaker, upon adjournment states, "The House stands adjourned until," naming the time. This is always the case upon an ordinary adjournment each day, for the rules provide the meeting time for each day's regular session. If the motion to adjourn includes a motion to fix a time for the next session different from the rules, it takes precedence of a simple motion to adjourn. If, when made, no other question is pending it may be debated or amended; if made when another question is pending it may not be debated or amended.

ADJOURNMENT.— The hour to which the House adjourns on Monday is usually fixed by joint resolution. The hour to which the House adjourns on other days

is fixed by Rule 31. The House may, however, adjourn to any other hour, but it may not adjourn more than three days without the consent of the Senate.

AMENDMENT.— A bill, after it has been read the third time, may not be amended by the House, but must be referred to a select committee, usually a committee of one, which committee must be instructed in just what particular to amend the bill and must report forthwith. In no other way may a bill that has been read the third time be amended; therefore, when a bill, after its third reading, is recommitted to a standing committee such committee may only report the bill back to the House, without recommendation or amendment.

An amendment inconsistent with one already adopted may not be ruled out by the Chair, though it may be good ground for rejection by the House.

A resolution, when pending before the House for adoption, may be amended by the House without reference to a committee.

Substitute.—A substitute for a bill is simply one form of an amendment, and is a term used to signify that the bill has been so materially changed after its introduction that it is in form a new bill. A substitute, like any other form of an amended bill, takes the place of the bill for which it is a substitute, retaining title, number and stage. The usual form of substituting a bill for another is to propose in one of the usual ways of offering an amendment, that "all after the enacting clause be stricken out and that the following be substituted therefor," and then set forth all of the new bill that follows its enacting clause. For the purpose of further amendment, however, a substitute bill is treated as an original bill.

An amendment to an amendment may be moved if the first amendment is to a motion or a resolution. If

it is desired to amend an amendment proposed to a bill that has been read the third time, it may only be done by moving to "amend the instructions to amend," which instructions are proposed to be given to a committee so as to perfect an amendment to the pending bill.

An amendment may be declared out of order if not germane.

Appeal.—An appeal from the decision of the Chair may not be amended; may not be debated when it relates to indecorum or to the propriety of business, nor in any event if the previous question is pending.

An appeal opens to debate the grounds of the decision of the presiding officer. It may be laid on the table, in which case the decision of the Chair stands; only the appeal, and not the subject matter upon which the decision was made, is carried to the table. The vote on an appeal may be reconsidered, but the vote on a motion to table an appeal may not be reconsidered. An appeal may not be entertained if debate or other business intervenes. An appeal may be withdrawn at the pleasure of the mover. If the original question, the decision upon which caused the appeal, is withdrawn, the appeal fails. A tie vote on the appeal sustains the Chair; the Chair has a vote upon the appeal. The Chair may participate in the debate upon an appeal without leaving the chair. The Chair may accompany any decision with a concise statement of his reasons for making it, but there may be no debate upon such decision unless an appeal is moved.

Bills.—For treatment of bills, see "The Eight Stages of Bills," *ante*.

Calendar.—The calendar is printed each legislative day, and is prepared by the Clerk. It may be described as a register of the bills and other measures which have been reported to the House for action, but are yet undisposed of. Bills are placed upon the calendar by num-

ber and title, and in the order in which they are reported; at the end of each legislative day the bills on the calendar are moved toward the head, retaining the same order, and all other bills are placed thereafter in the order of their report. The calendar is also used for announcements to members of the House, such as the times of holding committee meetings.

CALL OF THE HOUSE.—A call of the House is a demand for a roll call, to ascertain the names of all present to the end that it may be determined whether a quorum is present, although the call may be continued until every member of the House responds, at which time the call ceases without a motion. A call of the House is in order at any time except when the previous question has been sustained or a roll call is being taken, and may be demanded by any three members.

No motion is in order during roll call of a call of the House; no motion is in order at the conclusion of the roll call of a call of the House, except one motion to adjourn and a motion to discontinue the call further. If the House refuses to dispense with further proceedings under the call, another motion to that end is not in order until at least one additional member has added his name to the roll of those present. A motion to take a recess is not in order during a call of the House.

A call of the House may be demanded after the motion for the previous question has been made and is pending, but if the House demands the previous question a call of the House is not in order.

If a call of the House discloses a lack of a quorum, one motion to adjourn is in order, but a motion to dispense with further proceedings under the call is not in order.

A call of the House is the only method by which a quorum or lack of a quorum may be established, short of a roll call upon any question.

The House can, through its sergeant-at-arms, compel the attendance of members; when the call of the House discloses absentees, the Speaker at once notifies the sergeant-at-arms to bring in the absentees, no matter where he finds them.

The practice of the House knows no method of dispensing with further proceedings under the call, after once having voted the proposition down, with abstentees still noted upon the journal and no new response since the House registered its refusal.

COMMITTEES.—All bills, resolutions and documents referred to committees are actually turned over to the committees, generally to the chairman thereof, and are thus not in the possession of the House. This reference is made by a majority vote of a quorum, although in general practice it is done by common consent. The House has at all times the power, by a majority vote, to demand the return of any document so referred.

Committees are prohibited from making any report of an extended opinion on bills, resolutions or documents. All committee reports may include proposed amendments to bills and resolutions and a recommendation as to passage, adoption, indefinite postponement, or may be made without any recommendation whatsoever.

A committee may be said to make a report when a majority of that committee signs the said report. Those members of the committee who do not agree with the report made may submit a minority report, in which case the minority report is submitted to the House first, the question being, "Shall the minority report be substituted for the majority report?" If the question is decided in the affirmative, the majority report is at once set aside; if in the negative, the minority report only is set aside, and the House then proceeds to consider its acceptance of the majority report; if decided in the

affirmative the report stands, if in the negative the majority report is set aside and the bill or resolution goes to the calendar in exactly the shape and form it was in when first committed to the committee.

The procedure in committees is largely decided by each individual committee, all votes upon questions in committee being binding only upon the committee and having no effect upon the status of the bill or resolution before the House.

A motion to discharge a committee from further consideration of a bill or resolution is only in order under the order of business of "Resolutions and Motions."

COMMITTEE OF THE WHOLE.—The rules of the House in so far as applicable govern meetings of the Committee of the Whole. It can only consider those matters that are specifically referred to it, as in the case of all other committees. It may not entertain any matter of privilege, or order the vote on any questions pending therein taken by ayes and noes. It may not punish a member for disorder, but must first report the matter to the House. If the Committee of the Whole is dissolved for lack of a quorum, the House may at once proceed in the regular order.

The Committee of the Whole has no power to appoint a sub-committee.

If the Committee of the Whole reports progress, and asks leave to sit further and the same is refused, the matter is at once brought before the House in the same condition as when first committed to the Committee of the Whole.

DIVISION.—See "Yeas and nays."

JOURNAL.—Mackey in his "Parliamentary Law" has the following on the subject of expunging portions of the journal:

"It has sometimes been supposed that if any business has been transacted at the previous meeting, of which the minutes purport to be a record, which it is desired to rescind or repeal, the proper method will be to propose an alteration of the minutes before confirmation, by which all reference to such business will be stricken out. But this evidently is an erroneous interpretation of the law, which proceeds from a misunderstanding of the true character of the minutes.

"The minutes of a body are supposed to be, and ought always to be, 'a just and true record of all things proper to be written.' They constitute the journal of the proceedings of the meeting to which they refer, as those proceedings actually occurred. If altered by the expurgation of any part, they cease to be a record.

"It has occurred in the proceedings of the English parliament and the American Congress that portions of the journal, which contain the record of transactions which had become obnoxious, have been expunged by a vote taken subsequent to their confirmation; and these precedents, it is supposed, would authorize a body to rescind or annul or even to expunge from its minutes any particular portion.

"But the question on so rescinding, annuling or expunging must be made after the minutes have been approved. The first question in order after the minutes have been read is, 'Shall the minutes stand approved?' And the alterations or amendments to be suggested before this question is put are not to change the record of what has really occurred, but to make the record just and true.

"The decision has been made in Congress that 'when a member's vote is *incorrectly* recorded, it is his right on the next day, while the journal is before the House for its approval, to have the journal corrected

accordingly. But it is not in order to change a correct record of a vote given under a misapprehension.' "

The Speaker may inspect and correct the journal before it is read, but the approval of the journal is always the first order of business of each legislative day. The Clerk reads the journal in full, any corrections therein may be made at the conclusion of the reading. The question as to whether or not the proceedings of the House are correctly recorded is a matter under the control of the House itself.

LEGISLATIVE DAY.— A legislative day commences at the time to which the House previously adjourned and ends upon the next adjournment. If the House takes a recess from one calendar day to another the proceedings of the second day are of the first legislative day. A legislative day may include several calendar days. The minutes of the preceding legislative day are always read at the beginning of the next legislative day. The order of business is for the whole legislative day, so that if the House takes a recess from one calendar day to the next, the order of business at the beginning of the second day is just what it was at the time of the taking of the recess.

MOTIONS.— To adjourn to a certain day is debatable and amendable.

To commit is debatable and amendable.

To postpone indefinitely is debatable but not amendable. If carried, the measure so postponed is not again in order during the session. If decided in the negative, it is not in order again at the same stage of the bill.

A motion to strike out and insert is divisible.

A motion to lie on the table when decided in the affrmative, carries the principal motion, together with all other motions connected with it, and when the matter is again taken from the table which may be

done by a motion regularly made either under the proper order of business or by consent, it revives and stands in the exact form and with all the appendages pertaining to it at the time the motion to lie on the table prevailed.

A maker of a motion may vote against it, but he may not speak against it.

A motion is in the possession of the House only after it is stated by the chair. It may not then be withdrawn except on consent of the House, and then only before a decision or amendment. After a motion is in the possession of the House it may not be changed by the mover or other member except by amendment if it may properly be amended.

A motion to suspend the rules requires a two-thirds vote.

Any motion must be reduced to writing upon demand of any member.

For motions that are not debatable, see Rule No. 42.

The following is a summary of the most-used motions:

A motion to adjourn is not debatable.

A motion to fix the time to which to adjourn is not debatable if made when another question is before the House, and takes precedence of the motion to adjourn.

An amendment to an amendment may not be amended.

An appeal may not be amended and is in order when another has the floor.

A motion to lie on the table is not debatable and may not be amended.

A motion to postpone indefinitely opens the main question but may not be amended.

A motion for the previous question is not debatable and may not be amended.

A motion relating to priority of business is not debatable.

A motion to reconsider a debatable question opens the main question, may not be amended nor reconsidered.

A motion to reconsider an undebatable question is not debatable, may not be amended nor reconsidered.

A motion to rise in committee of the whole is not debatable and may not be amended nor reconsidered.

A motion to make, postpone or rescind a special order requires a majority vote.

A motion to suspend the rules requires a two-thirds vote, and is not debatable nor amendable, can not be laid on the table nor postponed indefinitely, nor can the motion to suspend be reconsidered.

A motion to take from the table is neither debatable nor amendable.

A motion to take up a question out of its proper order requires a two-thirds vote.

A motion to suspend the rules may be made either under the order of business in which the matter proposed to be advanced stands, or under the head of resolutions and motions.

Order in Debate.— Debate must at all times be confined to the subject before the House. Debate upon an amendment to a bill or resolution opens up for debate the whole subject matter of the bill or resolution. It is not in order to speak impertinently, allude to another member by name, impugn the motives of another member, indulge in personalities, allude to what has been said in debate in the Senate, to give the outcome of any votes in the Senate, nor to speak disrespectfully of the Senate.

Order.— Questions of order are of two kinds: First, those that relate to general principles, as for example, Is a motion to adjourn to a day certain de-

batable? And, second, those that have a personal bearing, as for example, when the question involves the decorum of a member. All questions arising out of the second class are to be decided without debate. All questions of order of whatever nature supersede the questions out of which they arise.

One point of order may not be raised when another is pending.

Order of Business.— The order of business of the House is set forth in Rule 24.

A motion to change the order of business is the same as any other motion to suspend the rules and requires a two-thirds vote; the order of business may be changed or suspended without a formal motion, by unanimous consent, obtained in the usual way.

Postponement.— On a motion to postpone to a time definite, it is not in order to speak to the merits of the question it is sought to postpone, unless the time proposed is beyond the life of the House, when the question is to be treated as one of indefinite postponement. It is in order to speak upon the proposition to postpone only to show that one time is better than another.

A motion to postpone indefinitely opens up the whole question for debate, but is not amendable.

Previous Question.— The form of a demand for the previous question is, "I demand the previous question," which, when duly seconded by four other members, is stated by the chair, "Shall the debate now close?" This question is held to prevail upon a majority vote of a quorum. The effect of this motion is to bring the House to a vote upon the main question, which, if the passage of a bill, is first upon any pending amendments in the inverse order of their age and then upon the bill itself.

After the previous question has been demanded and before ordered by the House a call of the House is in order. Any incidental questions arising after the demand has been made shall be decided without debate; this includes appeals thus arising.

A motion to adjourn is not in order when the main question has been ordered. After the demand has been made and before voting thereon nothing is in order except that one motion to adjourn and one to lie on the table may be made; after ordered by the House nothing is in order except disposition of amendments and the vote on the main question.

PRINTING OF BILLS.— Bills are printed by the Clerk after being read the first time and before being read the second time. If a bill is read the second time immediately after being read the first time, as may be done under suspension of the rules, it is not printed.

Bills may be printed by order of the House after being amended, but only at such time as they are in the possession of the Clerk. Amendments pending, reports that propose amendments and resolutions are only printed by order of the House.

PRIVILEGES.— A question of privilege that supersedes for the time being all others except that of adjournment, is that which concerns the rights and privileges of the House or its members; such a question may interrupt a member's speech, as for instance, an interruption by an outsider, or a quarrel between two members.

A question of privilege is always in order. A member who arises and says, "I rise to a question of privilege," first states the question. The chair then decides whether it is properly a question of privilege, and if in the affirmative, all other business then pending must be suspended until the question of privilege

is disposed of. This disposition may be either by entertaining it at once or by any of the other modes of deciding any question. It may be ordered to lie on the table, be postponed indefinitely or to a time certain, or may be committed to a committee with or without instructions. In the last case the report of the committee is, like the original question, privileged and may be made in any order of business. The report of such a committee is subject to the operation of any proper subsidiary motions as was the original question.

The privilege which attaches to a privileged question consists entirely of the time when it may be presented, and not to its consideration; when such a question has been presented, its consideration is subject to the same parliamentary procedure as any other question.

When questions of privilege arise that are admissible during the discussion of a question, they supersede the pending question and must first be disposed of.

A personal explanation is not a privileged question and may be made only on leave.

Following are the privileged motions, in that they may be made when other questions are pending, and have precedence in the order named:

1. To adjourn.
2. To recess.
3. To proceed to the orders of the day.
4. To lie on the table.
5. For the previous question.
6. To postpone to a day certain.
7. To commit (recommit.)
8. To amend.
9. To postpone indefinitely.

A motion to reconsider a vote is a privileged motion in that it may be made at any time within certain limits and when nothing is pending, and only a motion to adjourn takes precedence.

The committee on enrollment is privileged to submit a report at any time when nothing is pending.

The consideration of a vetoed bill is privileged and may be considered in any order of business.

But three of the foregoing privileged motions take precedence over a motion to go into the committee of the whole, made at the proper time, namely, to adjourn, to recess, and for the previous question.

QUORUM.—A quorum is always presumed to be present, unless definitely determined to the contrary. The only method of ascertaining in the advance of a roll call upon a pending question is to procure a call of the House, as explained under that title herein. The Constitution provides that a majority of all the members elected to the House, duly recorded by yea and nay, shall be necessary for the passage of a bill; certain bills require a two-thirds or a three-fifths vote. If, upon roll call, it develops that less than a quorum is present the question or bill upon which a roll call has been had is lost, and one of two things would then be in order—adjournment or a call of the House. If the call of the House develop a quorum, the House might then proceed with its next order of business in the usual way.

The "counting of a quorum," known as the Reed Rule, is not employed in the Ohio House of Representatives, because of the constitutional provision as to the number of votes required to pass a bill. The Reed Rule might be invoked in the cause of a roll call upon a question not requiring a majority of all members elected to the House, but roll calls are so seldom employed upon such motions that the chance for its use does not often arise.

RECESS.—A motion for recess is not in order during a call of the House, nor pending a motion to suspend the rules so as to take an immediate vote on a proposition. Less than a quorum may not take a recess.

RECONSIDERATION.—Where the vote on a proposition is not taken by yeas and nays, any member may move a reconsideration of the vote, the parliamentary custom being to interpret Rule No. 45 in that way.

A motion to reconsider any vote must be made within three calendar days of actual session of the House, and takes precedence of all motions except to adjourn.

A motion may be made to reconsider, if within the proper time, even though the papers affected are not in possession of the House, but consideration of the question must be postponed until the House has actual possession of the papers.

A majority of a quorum may reconsider a vote.

When the vote on a bill or resolution has been reconsidered, the measure may not be committed to any but a standing committee.

The vote sustaining a decision of the chair may not be reconsidered if other business has been transacted in consequence thereof which it is impossible for the House to reverse.

A vote on a motion to lie on the table may not be reconsidered.

A motion to take from the table may not be reconsidered.

A motion to adjourn may not be reconsidered.

A motion to suspend the rules, when lost, may not be reconsidered.

A motion to reconsider may not be amended.

REPORT.—In the strict sense of the term there can be no such thing as a minority report, as the minority is not a committee. However, the procedure of the House allows the minority of a committee, to which a measure has been referred for consideration, to make a report and it is treated just as an amendment is treated. It is submitted after the majority report has been sub-

mitted, and the question then before the House without any further action by a member is, "Shall the minority report be substituted for the majority report?" If decided in the affirmative, the minority report is treated by the House just as if made by the majority, and it may then be adopted or rejected by the House, in which latter case the measure is in exactly the same form as when first committed to the committee.

A report of a committee must be signed by a majority of the members of that committee.

Blanks for committee reports, as well as presentation of petitions, are to be had of the Clerk.

RULES.—The rules may be suspended by a two-thirds vote. This vote is usually taken in the House *viva voce,* but the yeas and nays may be demanded. The rule which prohibits the increase of compensation of House employes may not be suspended except upon three days' notice and upon a two-thirds vote of all the members elected to the House.

A motion to suspend the rules is not debatable.

SPECIAL ORDERS.—A special order is a decision of the House to consider a particular measure or question at a particular time. A majority of a quorum may make, postpone or suspend a special order. All special orders on the calendar at adjournment fall and the measures drop to the foot of the calendar; a recess does not have this effect. Special orders on the same day are taken up in their order, and when the time arrives for the consideration of a special order and other business is in hand, the House must have notice from some member; it is done by saying, "Mr. Speaker, I desire at this time to call the attention of the House to the special order, set for this hour, being," then naming the measure by its number, all of which is entered upon the journal.

STAGE OF A BILL.—A stage of a bill is any stage or legislative situation through which a bill must pass to

become a law. The first reading of a bill is one of the stages of a bill, because no bill may become a law unless it is read the first time; the same may be said of engrossing and enrollment. The reference of a bill to a committee is not a stage, because a bill may become a law without reference; the same may be said of the amendment of a bill.

VOTES.—No member may vote or change his vote after the result has been announced. The Clerk may be required to announce the names of all who vote in the affirmative and all who vote in the negative, before the Chair announces a decision upon the vote, and may be required to correct any error that may appear, or change the vote of a member, or add the vote of a member. A member, after the vote has been announced by the Speaker, may, as a matter of privilege, ask leave to have his vote recorded thereon, but this in no wise affects the vote upon the measure.

When the vote on a motion is a tie, the motion is lost. When the vote of the Chair may produce a tie vote, he may cast it.

YEAS AND NAYS.—Any two members may demand the yeas and nays upon any question before the House divides, but not after. That is, if the Chair has attempted to obtain the will of the House *viva voce,* a call of the yeas and nays may not be required, although division may be. A division, like a *viva voce,* makes no record of each member's vote. A vote by yeas and nays does. When yeas and nays are desired upon a question, which, under the rules does not require such a vote, it is well to make the demand immediately after the motion is stated by the Chair. There is no provision in the House rules or practice for a vote by tellers.

The Constitution of Ohio

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The Second (Present) Constitution of the State of Ohio.

Done in Convention at Cincinnati, March 10, 1851

As Amended and in Force January, 1906.

We the people of the State of Ohio, grateful to Almighty God for our freedom, to secure its blessings and promote our common welfare, do establish this constitution.

ARTICLE I.

Bill of Rights.

Sec. 1. All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety.

Sec. 2. All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform, or abolish the same, whenever they may deem it necessary; and no special privileges or immunities shall ever be granted, that may not be altered, revoked, or repealed by the General Assembly.

Sec. 3. The people have the right to assemble together, in a peaceable manner, to consult for their

common good; to instruct their representatives; and to petition the General Assembly for the redress of grievances.

SEC. 4. The people have the right to bear arms for their defense and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be kept up; and the military shall be in strict subordination to the civil power.

SEC. 5. The right of trial by jury shall be inviolate.

SEC. 6. There shall be no slavery in this state; nor involuntary servitude, unless for the punishment of crime.

SEC 7. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; nor shall any interference with the rights of conscience be permitted. No religious test shall be required, as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools, and the means of instruction.

SEC. 8. The privilege of the writ of *habeas corpus* shall not be suspended unless, in cases of rebellion or invasion, the public safety require it.

SEC. 9. All persons shall be bailable by sufficient sureties, except for capital offenses where the proof is evident, or the presumption great. Excessive bail shall

not be required; nor excessive fines imposed; nor cruel and unusual punishment inflicted.

Sec. 10. Except in cases of impeachment, and cases arising in the army and navy, or in the militia when in actual service in time of war or public danger, and in cases of petit larceny and other inferior offenses, no person shall be held to answer for a capital, or otherwise infamous crime, unless on presentment, or indictment of a grand jury. In any trial, in any court, the party accused shall be allowed to appear and defend in person, and with counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process to procure the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district, in which the offense is alleged to have been committed; nor shall any person be compelled, in any criminal case, to be a witness against himself, or be twice put in jeopardy for the same offense.

Sec. 11. Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of the right; and no law shall be passed to restrain or abridge the liberty of speech, or of the press. In all criminal prosecutions for libel the truth may be given in evidence to the jury, and if it shall appear to the jury, that the matter as charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted.

Sec. 12. No person shall be transported out of the state, for any offense committed within the same; and no conviction shall work corruption of blood, or forfeiture of estate.

Sec. 13. No soldier shall, in time of peace, be quartered in any house, without the consent of the

owner; nor, in time of war, except in the manner prescribed by law.

SEC. 14. The right of the people to be secure in their persons, houses, papers, and possessions, against unreasonable searches and seizures shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched and the person and things to be seized.

SEC. 15. No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in cases of fraud.

SEC. 16. All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law; and justice administered without denial or delay.

SEC. 17. No hereditary emoluments, honors, or privileges, shall ever be granted or conferred by this state.

SEC. 18. No power of suspending laws shall ever be exercised, except by the General Assembly.

SEC. 19. Private property shall ever be held inviolate, but subservient to the public welfare. When taken in time of war, or other public exigency, imperatively requiring its immediate seizure or for the purpose of making or repairing roads, which shall be open to the public, without charge, a compensation shall be made to the owner, in money, and in all other cases, where private property shall be taken for public use, a compensation therefor shall first be made in money, or first secured by a deposit of money; and such compensation shall be assessed by a jury, without deduction for benefits to any property of the owner.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the peo-

ple; and all powers, not herein delegated, remain with the people.

ARTICLE II.

LEGISLATIVE.

SEC. 1. The legislative power of this state shall be vested in a General Assembly, which shall consist of a Senate, and House of Representatives.

SEC. 2. Senators and representatives shall be elected biennially by the electors of the respective counties or districts, on the first Tuesday after the first Monday in November; their term of office shall commence on the first day of January next thereafter, and continue two years. [As amended October 13, 1885, 82 v. 446.]

SEC. 3. Senators and representatives shall have resided in their respective counties, or districts, one year next preceding their election, unless they shall have been absent on the public business of the United States, or of this state.

SEC. 4. No person holding office under the authority of the United States, or any lucrative office under the authority of this state, shall be eligible to, or have a seat in, the General Assembly; but this provision shall not extend to township officers, justices of the peace, notaries public, or officers of the militia.

SEC. 5. No person hereafter convicted of an embezzlement of the public funds, shall hold any office in this state; nor shall any person, holding public money for disbursement, or otherwise, have a seat in the General Assembly, until he shall have accounted for, and paid such money into the treasury.

SEC. 6. Each house shall be judge of the election, returns, and qualifications of its own members; a majority of all the members elected to each house shall be a quorum to do business; but a less number may adjourn from day to day, and compel the attendance

of absent members, in such manner, and under such penalties, as shall be prescribed by law.

SEC. 7. The mode of organizing the house of representatives, at the commencement of each regular session, shall be prescribed by law.

SEC. 8. Each house, except as otherwise provided in this constitution, shall choose its own officers, may determine its own rules of proceeding, punish its members for disorderly conduct; and, with the concurrence of two-thirds, expel a member, but not the second time for the same cause; and shall have all other powers, necessary to provide for its safety, and the undisturbed transaction of its business.

SEC. 9. Each house shall keep a correct journal of its proceedings, which shall be published. At the desire of any two members, the yeas and nays shall be entered upon the journal; and, on the passage of every bill, in either house, the vote shall be taken by yeas and nays, and entered upon the journal; and no law shall be passed in either house without the concurrence of a majority of all the members elected thereto.

SEC. 10. Any member of either house shall have the right to protest against any act, or resolution thereof; and such protest, and the reasons therefor, shall, without alteration, commitment, or delay, be entered upon the journal.

SEC. 11. All vacancies which may happen in either house shall, for the unexpired term, be filled by election, as shall be directed by law.

SEC. 12. Senators and Representatives, during the session of the General Assembly, and in going to and returning from the same, shall be privileged from arrest, in all cases, except treason, felony, or breach of the peace; and for any speech, or debate, in either house, they shall not be questioned elsewhere.

SEC. 13. The proceedings of both houses shall be

public, except in cases which, in the opinion of two-thirds of those present, require secrecy.

SEC. 14. Neither house shall, without the consent of the other, adjourn for more than two days, Sundays excluded; nor to any other place than that, in which the two houses shall be in session.

SEC. 15. Bills may originate in either house; but may be altered, amended, or rejected in the other.

SEC. 16. Every bill shall be fully and distinctly read three diffffierent days, unless in case of urgency three-fourths of the house in which it shall be pending, shall dispense with this rule. No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived, or amended, unless the new act contain the entire act revived, or the section or sections amended, and the section, or sections, so amended, shall be repealed.

Every bill passed by both houses of the General Assembly shall, before said bill can become law, be presented to the governor. If he approves he shall sign said bill and thereupon said bill shall be law. If he object he shall not sign and shall return said bill, together with his objection thereto in writing, to the house wherein said bill originated, which house shall enter at large upon its journal said objection and shall proceed to reconsider said bill. If, after said reconsideration, at least two-thirds of the members-elect of that house vote to repass said bill it shall be sent, together with said objection, to the other house, which shall enter at large upon its journal said objection and shall proceed to reconsider said bill. If, after said reconsideration, at least two-thirds of the members-elect of that house vote to pass said bill it shall be law, otherwise it shall not be law. The votes for the repassage of said bill shall in each house respectively be no less than those given on the original passage. If

any bill passed by both houses of the General Assembly and presented to the governor is not signed and is not returned to the house wherein it originated and within ten days after being so presented, exclusive of Sunday and the day said bill was presented, said bill shall be law as in like manner as if signed, unless final adjournment of the General Assembly prevents such return, in which case shall be law, unless objected to by the Governor and filed, together with his objection thereto in writing, by him in the office of the Secretary of State within the prescribed ten days; and the Secretary of State shall at once make public said fact and shall return said bill, together with said objection, upon the opening of the next following session of the General Assembly, to the house wherein said bill originated, where it shall be treated in like manner as if returned within the prescribed ten days.

If any bill passed by both houses of the General Assembly and presented to the Governor contains two or more sections, or two or more items of appropriation of money, he may object to one or more of said sections or to one or more of said items of appropriation of money, and approve the other portion of said bill, in which case said approved portion may be signed and then shall be law; and such section or sections, item or items of appropriation of money objected to shall be returned within the time and in the manner prescribed for, and shall be separately reconsidered as in the case of, a whole bill; but if final adjournment of the General Assembly prevents such return the Governor shall file said section or sections, item or items of appropriation of money, together with his objection thereto in writing, with the Secretary of State as in the case of a whole bill, and the Secretary of State shall then make public said fact but shall not further act

as in the case of a whole bill. [As amended November, 1903.]

SEC. 17. The presiding officer of each house shall sign, publicly in the presence of the house over which he presides, while the same is in session, and capable of transacting business all bills and joint resolutions passed by the General Assembly.

SEC. 18. The style of the laws of this state shall be, *"Be it enacted by the General Assembly of the State of Ohio."*

SEC. 19. No Senator or Representative shall, during the term for which he shall have been elected, or for one year thereafter, be appointed to any civil office under this state, which shall be created or the emoluments of which shall have been increased, during the term for which he shall have been elected.

SEC. 20. The General Assembly, in cases not provided for in this constitution, shall fix the term of office and the compensation of all officers; but no change therein shall affect the salary of any officer during his existing term, unless the office be abolished.

SEC. 21. The General Assembly shall determine, by law, before what authority, and in what manner, the trial of contested elections shall be conducted.

SEC. 22. No money shall be drawn from the treasury, except in pursuance of a specific appropriation, made by law; and no appropriation shall be made for a longer period than two years.

SEC. 23. The House of Representatives shall have the sole power of impeachment, but a majority of the members elected must concur therein. Impeachments shall be tried by the Senate; and the senators, when sitting for that purpose, shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the senators.

SEC. 24. The governor, judges, and all state officers, may be impeached for any misdemeanor in office; but judgment shall not extend further than the removal from office, and disqualification to hold any office, under the authority of this state. The party impeached, whether convicted or not, shall be liable to indictment, trial, and judgment, according to law.

SEC. 25. All regular sessions of the General Assembly shall commence on the first Monday of January, biennially. The first session, under this constitution, shall commence on the first Monday of January, one thousand eight hundred and fifty-two.

SEC. 26. All laws, of a general nature, shall have a uniform operation throughout the state; nor, shall any act, except such as relates to public schools, be passed, to take effect upon the approval of any other authority than the General Assembly, except, as otherwise provided in this constitution.

SEC. 27. The election and appointment of all officers, and the filling of all vacancies, not otherwise provided for by this constitution, or the constitution of the United States, shall be made in such manner as may be directed by law; but no appointing power shall be exercised by the General Assembly, except as prescribed in this constitution, and in the election of the United States senators; and in these cases the vote shall be taken *"viva voce."*

SEC. 28. The General Assembly shall have no power to pass retroactive laws, or laws impairing the obligation of contracts; but may, by general laws, authorize courts to carry into effect, upon such terms as shall be just and equitable, the manifest intention of parties, and officers, by curing omissions, defects, and errors, in instruments and proceedings, arising out of their want of conformity with the laws of this state.

SEC. 29. No extra compensation shall be made to

any officer, public agent, or contractor, after the service shall have been rendered, or the contract entered into; nor shall any money be paid, on any claim, the subject matter of which shall not have been provided for by pre-existing law, unless such compensation, or claim, be allowed by two-thirds of the members elected to each branch of the General Assembly.

SEC. 30. No new county shall contain less than four hundred square miles of territory, nor shall any county be reduced below that amount; and all laws creating new counties, changing county lines, or removing county seats, shall, before taking effect, be submitted to the electors of the several counties to be affected thereby, at hte next general election after the passage thereof, and be adopted by a majority of all the electors voting at such election, in each of said counties; but any county now or hereafter containing one hundred thousand inhabitants, may be divided, whenever a majority of the voters residing in each of the proposed divisions shall approve of the law passed for that purpose; but no town or city within the same shall be divided, nor shall either of the divisions contain less than twenty thousand inhabitants.

SEC. 31. The members and officers of the General Assembly shall receive a fixed compensation, to be prescribed by law, and no other allowance or perquisites, either in the payment of postage or otherwise; and no change in their compensation shall take effect during their term of office.

SEC. 32. The General Assembly shall grant no divorce, nor exercise any judicial power not herein expressly conferred.

ARTICLE III.

EXECUTIVE.

SEC. 1. The executive department shall consist of a governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and an attorney-general, who shall be elected on the *first Tuesday after the first Monday in November,* by the electors of the state, and at the places of voting for members of the General Assembly. [As amended October 13, 1885; 82 v. 446.]

SEC. 2. The governor, lieutenant governor, secretary of state, treasurer, and attorney-general shall hold their offices for two years; and the auditor for four years. Their terms of office shall commence on the second Monday of January next after their election, and continue until their successors are elected and qualified.

SEC. 3. The returns for every election for the officers named in the foregoing election shall be sealed up and transmitted to the seat of government, by the returning officers, directed to the president of the senate, who, during the first week of the session, shall open and publish them, and declare the result, in the presence of a majority of the members of each house of the General Assembly. The person having the highest number of votes shall be declared duly elected; but if any two or more shall be highest, and equal in votes, for the same office, one of them shall be chosen by the joint vote of both houses.

SEC. 4. Should there be no session of the General Assembly in January next after an election for any of the officers aforesaid, the returns of such election shall be made to the secretary of state, and opened, and the result declared by the governor, in such manner as may be provided by law.

SEC. 5. The supreme executive power of this state shall be vested in the governor.

SEC. 6. He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices; and shall see that the laws are faithfully executed.

SEC. 7. He shall communicate at every session, by message, to the General Assembly, the condition of the state, and recommend such measures as he shall deem expedient.

SEC. 8. He may, on extraordinary occasions, convene the General Assembly by proclamation, and shall state to both houses, when assembled, the purpose for which they have been convened.

SEC. 9. In case of a disagreement between the two houses, in respect to the time of adjournment, he shall have power to adjourn the General Assembly to such time as he may think proper, but not beyond the regular meetings thereof.

SEC. 10. He shall be commander-in-chief of the military and naval forces of the state, except when they shall be called into the service of the United States.

SEC. 11. He shall have power, after conviction, to grant reprieves, commutations, and pardons, for all crimes and offenses, except treason and cases of impeachment, upon such conditions as he may think proper; subject, however, to such regulations, as to the manner of for applying pardons, as may be prescribed by law. Upon conviction for treason, he may suspend the execution of the sentence, and report the case to the General Assembly, at its next meeting, when the General Assembly shall either pardon, commute the sentence, direct its execution, or grant a further reprieve. He shall communicate to the General Assembly, at every regular session each case of reprieve, commutation, or pardon granted, stating the name and crime of convict, the sentence, its date, and

the date of the commutation, pardon, or reprieve, with his reason therefor.

SEC. 12. There shall be a seal of the state, which shall be kept by the governor, and used by him officially; and shall be called "The Great Seal of the State of Ohio."

SEC. 13. All grants and commissions shall be issued in the name, and by the authority, of the state of Ohio; sealed with the great seal; signed by the governor, and countersigned by the secretary of state.

SEC. 14. No member of Congress, or other person holding office under the authority of this state, or of the United States, shall execute the office of governor, except as herein provided.

SEC. 15. In case of the death, impeachment, resignation, removal, or other disability of the governor, the powers and duties of the office, for the residue of the term, or until he shall be acquitted, or the disability removed, shall devolve upon the lientenant governor.

SEC. 16. The lieutenant governor shall be president of the senate, but shall vote only when the senate is equally divided; and in case of his absence, or impeachment, or when he shall exercise the office of governor, the senate shall choose a president *pro tempore*.

SEC. 17. If the lientenant governor, while executing the office of governor, shall be impeached, displaced, resign or die, or otherwise become incapable of performing the duties of the office, the president of the senate shall act as governor until the vacancy is filled, or the disability removed; and if the president of the senate, for any of the above causes, shall be rendered incapable of performing the duties pertaining to the office of governor, the same shall devolve upon the speaker of the house of representatives.

SEC. 18. Should the office of auditor, treasurer, secretary, or attorney-general, become vacant, for any

of the causes specified in the fifteenth section of this article, the governor shall fill the vacancy until the disability is removed, or a successor elected and qualified. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days after it shall have happened; and the person chosen shall hold the office for the full term fixed in the second section of this article.

SEC. 19. The officers mentioned in this article shall, at stated times, receive for their services, a compensation to be established by law, which shall neither be increased nor diminished during the period for which they shall have been elected.

SEC. 20. The officers of the executive department, and of the public state institutions shall, at least five days preceding each regular session of the General Assembly, severally report to the governor, who shall transmit such reports with his message, to the General Assembly.

ARTICLE IV.

JUDICIAL.

SEC. 1. The judicial power of the state is vested in a supreme court, circuit courts, courts of common pleas, courts of probate, justices of the peace, and such other courts inferior to the supreme court, as the General Assembly may from time to time establish. [As amended October 9, 1883, (vol. 80, p. 382).]

SEC. 2. The supreme court shall, until otherwise provided by law, consist of five judges, a majority of whom competent to sit shall be necessary to form a quorum or to pronounce a decision, except as hereinafter provided. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus and procedendo, and such appellate jurisdiction as may be provided by law. It shall hold at least one term in each year at the

seat of government, and such other terms, there or elsewhere, as may be provided by law. The judges of the supreme court shall be elected by the electors of the state at large, for such term, not less than five years, as the General Assembly may prescribe, and they shall be elected and their official term shall begin at such time as may be fixed by law. In case the General Assembly shall increase the number of such judges, the first term of each of such additional judges shall be such, that in each year after their first election, an equal number of judges of the supreme court shall be elected, except in elections to fill vacancies; and whenever the number of such judges shall be increased, the General Assembly may authorize such court to organize divisions thereof, not exceeding three, each division to consist of an equal number of judges; for the adjudication of cases, a majority of each division shall constitute a quorum, and such an assignment of the cases to each division may be made as such court may deem expedient, but whenever all the judges of either division hearing a case shall not concur as to the judgment to be rendered therein, or whenever a case shall involve the constitutionality of an act of the General Assembly or of an act of congress, it shall be reserved to the whole court for adjudication. The judges of the supreme court in office when this amendment takes effect, shall continue to hold their offices until their successors are elected and qualified. [As amended October 9, 1883; 80 v. 382.]

Sec. 3. The state shall be divided into nine common pleas districts, of which the county of Hamilton shall constitute one, of compact territory, and bounded by county lines; and each of said districts, consisting of three or more counties, shall be subdivided into three parts, of compact territory, bounded by county lines, and as nearly equal in population as practicable; in

each of which, one judge of the court of common pleas for said district, and residing therein, shall be elected by the electors of said subdivision. Courts of common pleas shall be held, by one or more of these judges, in every county in the district, as often as may be provided by law; and more than one court, or sitting thereof, may be held at the same time in each district.

SEC. 4. The jurisdiction of the courts of common pleas, and of the judges thereof, shall be fixed by law.

SEC. 5. [Repealed October 9, 1883; 80 v. 382.]

SEC. 6. The circuit court shall have like original jurisdiction with the supreme court, and such appellate jurisdiction as may be provided by law. Such courts shall be composed of such number of judges as may be provided by law, and shall be held in each county, at least once in each year. The number of circuits, and the boundaries thereof, shall be prescribed by law. Such judges shall be elected in each circuit by the electors thereof, and at such time and for such term as may be prescribed by law, and the same number shall be elected in each circuit. Each judge shall be competent to exercise his judicial powers in any circuit. The General Assembly may change, from time to time, the number or boundaries of the circuits. The circuit courts shall be the successors of the district courts, and all cases, judgments, records, and proceedings pending in said district courts, in the several counties of any district, shall be transferred to the circuit courts in the several counties, and be proceeded in as though said district courts had not been abolished, and the district courts shall continue in existence until the election and qualification of the judges of the circuit court. [As amended October 9, 1883; 80 v. 382.]

SEC. 7. There shall be established in each county,

a probate court, which shall be a court of record, open at all times, and holden by one judge, elected by the voters of the county, who shall hold his office for the term of three years, and shall receive such compensation, payable out of the county treasury, or by fees, or both, as shall be provided by law.

SEC. 8. The probate court shall have jurisdiction in probate and testamentary matters, the appointment of administrators and guardians, the settlement of the accounts of executors, administrators, and guardians, and such jurisdiction in habeas corpus, the issuing of marriage licenses, and for the sale of land by executors, administrators, and guardians, and such other jurisdiction, in any county or counties, as may be provided by law.

SEC. 9. A competent number of justices of the peace shall be elected, by the electors, in each township in the several counties. Their term of office shall be three years, and their powers and duties shall be regulated by law.

SEC. 10. All judges, other than those provided for in this constitution, shall be elected, by the electors of the judicial district for which they may be created, but not for a longer term of office than five years.

SEC. 11. [*Repealed October* 9, 1883; 80 v. 382.]

SEC. 12. The judges of the courts of common pleas shall, while in office, reside in the district for which they are elected; and their term of office shall be for five years.

SEC. 13. In case the office of any judge shall become vacant, before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the governor, until a successor is elected and qualified; and such successor shall be elected for the unexpired term, at the first annual elec-

tion that occurs more than thirty days after the vacancy shall have happened.

SEC. 14. The judges of the supreme court, and of the court of common pleas, shall, at stated times, receive, for their services, such compensation as may be provided by law, which shall not be diminished, or increased, during their term of office; but they shall receive no fees or perquisites, nor hold ony other office of profit or trust, under the authority of this state, or the United States. All votes for either of them, for any elective office, except a judicial office, under the authority of this state, given by the General Assembly, or the people, shall be void.

SEC. 15. The General Assembly may increase, or diminish, the number of the judges of the supreme court, the number of the districts of the court of common pleas, the number of judges in any district, change the districts, or the subdivisions thereof, or establish other courts, whenever two-thirds of the members elected to each house shall concur therein; but no such change ,addition, or diminution, shall vacate the office of any judge.

SEC. 16. There shall be elected in each county, by the electors thereof, one clerk of the court of common pleas, who shall hold his office for the term of three years, and until his successor shall be elected and qualified. He shall, by virtue of his office, be clerk of all other courts of record held therein; but, the General Assembly may provide, by law, for the election of a clerk, with a like term of office, for each or any other of the courts of record, and may authorize the judge of the probate court to perform the duties of clerk for his court, under such regulations as may be directed by law. Clerks of courts shall be removable for such cause and in such manner as shall be prescribed by law.

SEC. 17. Judges may be removed from office, by concurrent resolutions of both houses of the General Assembly, if two-thirds of the members, elected to each house, concur therein; but, no such removal shall be made, except upon complaint, the substance of which shall be entered on the journal, nor, until the party charged shall have had notice thereof, and an opportunity to be heard.

SEC. 18. The several judges of the supreme court, of the common pleas, and of such other courts as may be created, shall, respectively, have and exercise such power and jurisdiction, at chambers, or otherwise, as may be directed by law.

SEC. 19. The General Assembly may establish courts of conciliation, and prescribe their powers and duties; but such courts shall not render final judgment in any case, except upon submission, by the parties, of the matter in dispute, and their agreement to abide such judgment.

SEC. 20. The style of all process shall be, "The State of Ohio;" all prosecutions shall be carried on, in the name, and by the authority, of the State of Ohio; and all indictments shall conclude, "against the peace and dignity of the State of Ohio."

SEC. 22. (21) A commission, which shall consist of five members, shall be appointed by the governor, with the advice and consent of the Senate, the members of which shall hold office for the term of three years from and after the first day of February, 1876, to dispose of such part of the business then on the dockets of the supreme court, as shall, by arrangement between said commission and said court, be transferred to such commission; and said commission shall have like jurisdiction and power in respect to such business as are or may be vested in said court; and the members of said commission shall receive a like com-

pensation for the time being with the judges of said court. A majority of the members of said commission shall be necessary to form a quorum or pronounce a decision, and its decision shall be certified, entered, and enforced as the judgments of the supreme court, and at the expiration of the term of said commission, all business undisposed of, shall by it be certified to the supreme court and disposed of as if said commission had never existed. The clerk and reporter of said court shall be the clerk and reporter of said commission, and the commission shall have such other attendants not exceeding in number those provided by law for said court, which attendants said commission may appoint and remove at its pleasure. Any vacancy occurring in said commission, shall be filled by appointment of the governor, with the advice and consent of the senate, if the senate be in session, and if the senate be not in session, by the governor, but in such last case, such appointment shall expire at the end of the next session of the General Assembly. The General Assembly may, on application of the supreme court duly entered on the journal of the court and certified, provide by law, whenever two-thrids of such [each] house shall concur therein, from time to time, for the appointment, in like manner, of a like commission with like powers, jurisdiction and duties; provided, that the term of any such commission shall not exceed two years, nor shall it be created oftener than once in ten years. [As adopted October 12, 1875; 72 v. 269.]

ARTICLE V.

ELECTIVE FRANCHISE.

SEC. 1. Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the state one year next preceding

the election, and of the county, township, or ward, in which he resides, such time as may be provided by law, shall have the qualifications of an elector, and be entitled to vote at all elections.

SEC. 2. All elections shall be by ballot.

SEC. 3. Electors, during their attendance at elections, and in going to, and returning therefrom, shall be privileged from arrest, in all cases, except treason, felony, and breach of the peace.

SEC. 4. The General Assembly shall have power to exclude from the privilege of voting, or of being eligible to office, any person convicted of bribery, perjury, or other infamous crime.

SEC. 5. No person in the military, naval, or marine service of the United States, shall, by being stationed in any garrison, or military, or naval station, within the state, be considered a resident of this state.

SEC. 6. No idiot, or insane person, shall be entitled to the privileges of an elector.

ARTICLE VI.

EDUCATION.

SEC. 1. The principal of all funds, arising from the sale, or other disposition of lands, or other property, granted or entrusted to this state for educational or religious purposes, shall forever be preserved inviolate, and undiminished; and, the income arising therefrom, shall be faithfully applied to the specific objects of the original grants, or appropriations.

SEC. 2. The General Assembly shall make such provisions, by taxation, or otherwise, as, with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the state; but no religious or other sect, or sects,

shall ever have any exclusive right to, or control of, any part of the school funds of this state.

ARTICLE VII.

PUBLIC INSTITUTIONS.

SEC. 1. Institutions for the benefit of the insane, blind, and deaf and dumb, shall always be fostered and supported by the state; and be subject to such regulations as may be prescribed by the General Assembly.

SEC. 2. The directors of the penitentiary shall be appointed or elected in such manner as the General Assembly may direct; and the trustees of the benevolent, and other state institutions, now elected by the General Assembly, and of such other state institutions, as may be hereafter created, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by yeas and nays, and entered upon the journals of the senate.

SEC. 3. The governor shall have power to fill all vacancies that may occur in the offices aforesaid, until the next session of the General Assembly, and, until a successor to his appointee shall be confirmed and qualified.

ARTICLE VIII.

PUBLIC DEBT AND PUBLIC WORKS.

SEC. 1. The state may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct or contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars; and the money, arising from the creation of such debts,

shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

SEC. 2. In addition to the above limited power, the state may contract debts to repel invasion, suppress insurrection, defend the state in war, or to redeem the present outstanding indebtedness of the state; but the money, arising from the contracting of such debts, shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever; and all debts, incurred to redeem the present outstanding indebtedness of the state, shall be so contracted as to be payable by the sinking fund, hereinafter provided for, as the same shall accumulate.

SEC. 3. Except the debts above specified in sections one and two of this article, no debt whatever shall hereafter be created by or on behalf of the state.

SEC. 4. The credit of the state shall not, in any manner be given or loaned to, or in aid of, any individual association or corporation whatever; nor shall the state ever hereafter become a joint owner, or stockholder, in any company or association in this state, or elsewhere, formed for any purpose whatever.

SEC. 5. The state shall never assume the debts of any county, city, town, or township, or of any corporation whatever, unless such debt shall have been created to repel invasion, suppress insurrection, or defend the state in war.

SEC. 6. The General Assembly shall never authorize any county, city, town, or township, by vote of its citizens, or otherwise, to become a stockholder in any joint stock company, corporation, or association whatever; or to raise money for, or loan its credit to, or in aid of, any such company, corporation, or association.

SEC. 7. The faith of the state being pledged for

the payment of its public debt, in order to provide therefor, there shall be created a sinking fund, which shall be sufficient to pay the accruing interest on such debt, and, annually, to reduce the principal thereof, by a sum not less than one hundred thousand dollars, increased yearly, and each and every year, by compounding, at the rate of six percent per annum. The said sinking fund shall consist, of the net annual income of the public works and stocks owned by the state, of any other funds or resources that are, or may be, provided by law, and of such further sum, to be raised by taxation, as may be required for the purposes aforesaid.

SEC. 8. The auditor of state, secretary of state, and attorney-general, are hereby created a board of commissioners, to be styled, "The Commissioners of the Sinking Fund."

SEC. 9. The commissioners of the sinking fund shall, immediately preceding each regular session of the General Assembly, make an estimate of the probable amount of the fund, provided for in the seventh section of this article, from all sources except from taxation, and report the same, together with all their proceedings relative to said fund and the public debt, to the governor, who shall transmit the same with his regular message, to the General Assembly; and the General Assembly shall make all necessary provision for raising and disbursing said sinking fund, in pursuance of the provisions of this article.

SEC. 10. It shall be the duty of the said commissioners faithfully to apply said fund, together with all moneys that may be, by the General Assembly, appropriated to that object, to the payment of the interest, as it becomes due, and the redemption of the principal of the public debt of the state, excepting only, the school and trust funds held by the state.

SEC. 11. The said commissioners shall, semi-annually, make a full and detailed report of their proceedings to the governor, who shall immediately, cause the same to be published, and shall also communicate the same to the General Assembly, forthwith, if it be in session, and if not, then at its first session after such report shall be made.

SEC. 12. So long as this state shall have public works which require superintendence, there shall be a board of public works, to consist of three members, who shall be elected by the people, at the first general election after the adoption of this constitution, one for the term of one year, one for the term of two years, and one for the term of three years; and one member of said board shall be elected annually thereafter, who shall hold his office for three years.

SEC. 13. The powers and duties of said board of public works, and its several members, and their compensation, shall be such as are now, or may be, prescribed by law.

ARTICLE IX.

MILITIA.

SEC. 1. All white male citizens, residents of this state, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia, and perform military duty, in such manner, not incompatible with the constitution and laws of the United States, as may be prescribed by law.

SEC. 2. Majors general, brigadiers general, colonels, lieutenant colonels, majors, captains, and subalterns, shall be elected by the persons subject to military duty, in their respective districts.

SEC. 3. The governor shall appoint the adjutant-general, quartermaster-general, and such other staff officers, as may be provided for by law. Majors gen-

eral, brigadiers general, colonels, or commandants of regiments, battalions, or squadrons, shall, severally, appoint their staff, and captains shall appoint their non-commissioned officers and musicians.

SEC. 4. The governor shall commission all officers of the line and staff, ranking as such; and shall have power to call forth the militia, to execute the laws of the state, to suppress insurrection, and repel invasion.

SEC. 5. The General Assembly shall provide, by law, for the protection and safe-keeping of the public arms.

ARTICLE X.

COUNTY AND TOWNSHIP ORGANIZATIONS.

SEC. 1. The General Assembly shall provide, by law, for the election of such county and township officers as may be necessary.

SEC. 2. County officers shall be elected on the first Tuesday after the first Monday in November, by the electors of each county in such manner, and for such term, not exceeding three years, as may be provided by law. [As amended October 13, 1885; 82 v. 446.]

SEC. 3. No person shall be eligible to the office of sheriff, or county treasurer, for more than four years, in any period of six years.

SEC. 4. Township officers shall be elected by the electors of each township, at such time, in such manner, and for such term, not exceeding three years, as may be provided by law; but shall hold their offices until their successors are elected and qualified. [As amended October 13, 1885; 82 v. 449.]

SEC. 5. No money shall be drawn from any county or township treasury, except by authority of law.

SEC. 6. Justices of the peace, and county and town-

ship officers, may be removed, in such manner and for such cause, as shall be prescribed by law.

SEC. 7. The commissioners of counties, the trustees of townships, and similar boards, shall have such power of local taxation, for police purposes, as may be prescribed by law.

ARTICLE XI.

APPORTIONMENT.

SEC. 1. The apportionment of this state for members of the General Assembly shall be made every ten years, after the year one thousand eight hundred and fifty-one, in the following manner: The whole population of the state, as ascertained by the federal census, or in such other mode as the General Assembly may direct, shall be divided by the number "one hundred," and the quotient shall be the ratio of representation in the house of representatives, for ten years next succeeding such apportionment.

SEC. 2. Every county having a population equal to one-half of said ratio, shall be entitled to one representative; every county, containing said ratio, and three-fourths over, shall be entitled to two representatives; every county, containing three times said ratio, shall be entitled to three representatives; and so on, requiring after the first two, an entire ratio for each additional representative. Provided, however, that each county shall have one representative. [As amended November, 1903.]

SEC. 3. When any county shall have a fraction above the ratio, so large, that being multiplied by five, the result will be equal to one or more ratios, additional representatives shall be apportioned for such ratios, among the several sessions of the decennial period, in the following manner: If there be only one

ratio, a representative shall be allotted to the fifth session of the decennial period; if there are two ratios, a representative shall be allotted to the fourth and third sessions, respectively; if three, to the third, second, and first sessions, respectively; if four, to the fourth, third, second, and first sessions, respectively.

SEC. 4. Any county, forming with another county or counties, a representative district, during one decennial period, if it have acquired sufficient population at the next decennial period, shall be entitled to a separate representation, if there shall be left, in the district from which it shall have been separated, a population sufficient for a representative; but no such change shall be made, except at the regular decennial period for the apportionment of representatives.

SEC. 5. If, in fixing any subsequent ratio, a county, previously entitled to a separate representation, shall have less than the number required by the new ratio for a representative, such county shall be attached to the county adjoining it, having the least number of inhabitants; and the representation of the district, so formed, shall be determined as herein provided.

SEC. 6. The ratio for a senator shall forever, hereafter, be ascertained by dividing the whole population of the state by the number thirty-five.

SEC. 7. The state is hereby divided into thirty-three senatorial districts, as follows: The county of Hamilton shall constitute the first senatorial district; the counties of Butler and Warren, the second; Montgomery and Preble, the third; Clermont and Brown, the fourth; Greene, Clinton and Fayette, the fifth; Ross and Highland, the sixth; Adams, Pike, Scioto and Jackson the seventh; Lawrence, Gallia, Meigs, and Vinton, the eighth; Athens, Hocking, and Fairfield, the ninth; Franklin and Pickaway, the tenth; Clark, Champaign, and Madison, the eleventh; Miami, Darke,

and Shelby, the twelfth; Logan, Union, Marion, and Hardin, the thirteenth; Washington and Morgan, the fourteenth; Muskingum and Perry, the fifteenth; Delaware and Licking, the sixteenth; Knox and Morrow, the seventeenth; Coshocton and Tuscarawas, the eighteenth; Guernsey and Monroe, the nineteenth; Belmont and Harrison, the twentieth; Carroll and Stark, the twenty-first; Jefferson and Columbiana, the twenty-second; Trumbull and Mahoning, the twenty-third; Ashtabula, Lake, and Geauga, the twenty-fourth; Cuyahoga, the twenty-fifth; Portage and Summit, the twenty-sixth; Medina and Lorain, the twenty-seventh; Wayne and Holmes, the twenty-eighth; Ashland and Richland, the twenty-ninth; Huron, Erie, Sandusky, and Ottawa, the thirtieth; Seneca, Crawford, and Wyandot, the thirty-first; Mercer, Auglaize, Allen, Van Wert, Paulding, Defiance, and Williams, the thirty-second; and Hancock, Wood, Lucas, Fulton, Henry, and Putnam, the thirty-third: For the first decennial period, after the adoption of this constitution, each of said districts shall be entitled to one senator, except the first district, which shall be entitled to three senators.

SEC. 8. The same rule shall be applied, in apportioning the fractions of senatorial districts, and in annexing districts, which may hereafter have less than three-fourths of a senatorial ratio, as are applied to representative districts.

SEC. 9. Any county forming part of a senatorial district, having acquired a population equal to a full senatorial ratio, shall be made a separate senatorial district, at any regular decennial apportionment, if a full senatorial ratio shall be left in the district from which it shall be taken.

SEC. 10. For the first ten years, after the year one thousand eight hundred and fifty-one, the apportionment

of representatives shall be as provided in the schedule, and no change shall ever be made in the principles of representation, as herein established, or, in the senatorial districts, except as above provided. All territory, belonging to a county at the time of any apportionment, shall, as to the right of representation and suffrage, remain an integral part thereof, during the decennial period.

SEC. 11. The governor, auditor, and secretary of state, or any two of them, shal, at least six months prior to the October election, in the year one thousand eight hundred and sixty-one, and, at each decennial period thereafter, ascertain and determine the ratio of representation, according to the decennial census, the number of representatives and senators each county or district shall be entitled to elect, and for what years, within the next ensuing ten years, and the governor shall cause the same to be published, in such manner as shall be directed by law.

JUDICIAL APPORTIONMENT.

SEC. 12. For judicial purposes, the state shall be apportioned as follows:

The county of Hamilton, shall constitute the first district, which shall not be subdivided; and the judges therein, may hold separate courts or separate sittings of the same court, at the same time.

The counties of Butler, Preble, and Darke, shall constitute the first subdivision; Montgomery, Miami, and Champaign, the second; and Warren, Clinton, Greene, and Clark, the third subdivision, of the second district; and, together, shall form such district.

The counties of Shelby, Auglaize, Allen, Hardin, Logan, Union, and Marion, shall constitute the first subdivision; Mercer, Van Wert, Putnam, Paulding,

Defiance, Williams, Henry, and Fulton, the second; and Wood, Seneca, Hancock, Wyandot, and Crawford, the third subdivision, of the third district; and, together, shall form such district.

The counties of Lucas, Ottawa, Sandusky, Erie, and Huron, shall constitute the first subdivision; Lorain, Medina, and Summit, the second; and the county of Cuyahoga, the third subdivision, of the fourth district; and, together, shall form such district.

The counties of Clermont, Brown, and Adams, shall constitute the first subdivision; Highland, Ross, and Fayette, the second; and Pickaway, Franklin, and Madison, the third subdivision, of the fifth district; and, together, shall form such district.

The counties of Licking, Knox, and Delaware, shall constitute the first subdivision; Morrow, Richland, and Ashland, the second; and Wayne, Holmes, and Coshocton, the third subdivision, of the sixth district; and, together, shall form such district.

The counties of Fairfield, Perry, and Hocking, shall constitute the first subdivision; Jackson, Vinton, Pike, Scioto, and Lawrence, the second; and Gallia, Meigs, Athens, and Washington, the third subdivision, of the seventh district; and, together, shall form such district.

The Counties of Muskingum and Morgan, shall constitute the first subdivision; Guernsey, Belmont, and Monroe, the second; and Jefferson, Harrison, and Tuscarawas, the third subdivision, of the eighth district; and, together, shall form such district.

The counties of Stark, Carroll, and Columbiana, shall constitute the first subdivision; Trumbull, Portage, and Mahoning, the second; and Geauga, Lake, and Ashtabula, the third subdivision, of the ninth district; and, together, shall form such district.

SEC. 13. The General Assembly shall attach any

new counties, that may hereafter be erected, to such districts, or subdivisions thereof, as shall be most convenient.

ARTICLE XII.

FINANCE AND TAXATION.

SEC. 1. The levying of taxes, by the poll, is grievous and oppressive; therefore, the General Assembly shall never levy a poll tax, for county or state purposes.

SEC. 2. Laws shall be passed, taxing by a uniform rule, all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise; and also all real and personal property according to its true value in money, excepting bonds of the state of Ohio, bonds of any city, village, hamlet, county, or township in this state, and bonds issued in behalf of the public schools of Ohio and the means of insruction in connection therewith, which bonds shall be exempt from taxation; but burying grounds, public schoolhouses, houses used exclusively for public worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property, to an amount not exceeding in value two hundred dollars, for each individual, may, by general laws, be exempted from taxation; but all such laws shall be subject to alteration or repeal; and the value of all property, so exempted, shall, from time to time, be ascertained and published as may be directed by law. [As amended November, 1905.]

SEC. 3. The General Assembly shall provide, by law, for taxing the notes and bills discounted or purchased, moneys loaned, and all other property, effects, or dues, of every description, (without deduction), of all banks, now existing, or hereafter created, and of all bankers, so that all property employed in banking,

shall always bear a burden of taxation, equal to that imposed on the property of individuals.

SEC. 4. The General Assembly shall provide for raising revenue, sufficient to defray the expenses of the state, for each year, and also a sufficient sum to pay the interest on the state debt.

SEC. 5. No tax shall be levied, except in pursuance of law; and every law imposing a tax, shall state, distinctly, the object of the same, to which only, it shall be applied.

SEC. 6. The state shall never contract any debt for purposes of internal improvement.

ARTICLE XIII.

CORPORATIONS.

SEC. 1. The General Assembly shall pass no special act conferring corporate powers.

SEC. 2. Corporations may be formed under general laws; but all such laws may, from time to time, be altered or repealed.

SEC. 3. Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable otherwise than for the unpaid stock owned by him or her. [As amended November, 1903.]

SEC. 4. The property of corporations, now existing or hereafter created, shall forever be subject to taxation, the same as the property of individuals.

SEC. 5. No right of way shall be appropriated to the use of any corporation, until full compensation therefor be first made in money, or first secured by a deposit of money, to the owner, irrespective of any benefit from any improvement proposed by such corporation; which compensation shall be ascertained by

a jury of twelve men, in a court of record, as shall be prescribed by law.

SEC. 6. The General Assembly shall provide for the organization of cities, and incorporated villages, by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent the abuse of such power.

SEC. 7. No act of the General Assembly, authorizing associations with banking powers, shall take effect until it shall be submitted to the people, at the general election next succeeding the passage thereof, and be approved by a majority of all the electors, voting at such election.

ARTICLE XIV.

JURISPRUDENCE.

SEC. 1. The General Assembly, at its first session after the adoption of this constitution, shall provide for the appointment of three commissioners, and prescribe their tenure of office, compensation, and the mode of filling vacancies in said commission.

SEC. 2. The said commissioners shall revise, reform, simplify, and abridge the practice, pleadings, forms, and proceedings of the courts of record of this state; and, as far as practicable and expedient, shall provide for the abolition of the distinct forms of action at law, now in use, and for the administration of justice by a uniform mode of proceeding, without reference to any distinction between law and equity.

SEC. 3. The proceedings of the commissioners shall, from time to time, be reported to the General Assembly, and be subject to the action of that body.

ARTICLE XV.

MISCELLANEOUS.

SEC. 1. Columbus shall be the seat of government, until otherwise directed by law.

SEC. 2. The printing of the laws, journals, bills, legislative documents and papers for each branch of the General Assembly, with the printing required for the executive and other departments of state, shall be let, on contract, to the lowest responsible bidder, by such executive officers, and in such manner, as shall be prescribed by law.

SEC. 3. An accurate and detailed statement of the receipts and expenditures of the public money, the several amounts paid, to whom, and on what account, shall, from time to time, be published, as shall be prescribed by law.

SEC. 4. No person shall be elected or appointed to any office in this state, unless he possesses the qualification of an elector.

SEC. 5. No person who shall hereafter fight a duel, assist in the same as second, or send, accept, or knowingly carry, a challenge therefor, shall hold any office in this state.

SEC. 6. Lotteries, and the sale of lottery tickets, for any purpose whatever, shall forever be prohibited in this state.

SEC. 7. Every person chosen or appointed to any office under this state, before entering upon the discharge of its duties, shall take an oath or affirmation, to support the Constitution of the United States, and of this state, and also an oath of office.

SEC. 8. There may be established, in the secretary of state's office, a bureau of statistics, under such regulations as may be prescribed by law.

SEC. 9. No license to traffic in intoxicating liquors shall hereafter be granted in this state; but the General Assembly may, by law, provide against evils resulting therefrom.

ARTICLE XVI.

AMENDMENTS.

SEC. 1. Either branch of the General Assembly may propose amendments to this constitution; and, if the same shall be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and shall be published in at least one newspaper in each county of the state, where a newspaper is published, for six months preceding the next election for senators and representatives, at which time the same shall be submitted to the electors, for their approval or rejection; and if a majority of the electors, voting at such election, shall adopt such amendments, the same shall become a part of the constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment, separately.

SEC. 2. Whenever two-thirds of the members elected to each branch of the General Assembly, shall think it necessary to call a convention, to revise, amend, or change this constitution, they shall recommend to the electors to vote, at the next election for members to the General assembly, for or against a convention; and if a majority of all the electors, voting at said election, shall have voted for a convention, the General Assembly shall, at their next session, provide, by law, for calling the same. The convention shall consist of as many members as the House of Representatives, who shall be chosen in the same manner, and shall

meet within three months after their election, for the purpose, aforesaid.

SEC. 3. At the general election, to be held in the year one thousand eight hundred and seventy-one, and in each twentieth year thereafter, the question: "Shall there be a convention to revise, alter, or amend the constitution," shall be submitted to the electors of the state; and, in case a majority of all the electors, voting at such election, shall decide in favor of a convention, the General Assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon.

SCHEDULE.

SEC. 1. All laws of this state, in force on the first day of September, one thousand eight hundred and fifty-one, not inconsistent with this constitution, shall continue in force, until amended, or repealed.

SEC. 2. The first election for members of the General Assembly, under this constitution, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one.

SEC. 3. The first election for governor, lieutenant-governor, auditor, treasurer, and secretary of state and attorney-general, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one. The persons, holding said offices on the first day of September, one thousand eight hundred and fifty-one, shall continue therein, until the second Monday of January, one thousand eight hundred and fifty-two.

SEC. 4. The first election for judges of the supreme court, courts of common pleas, and probate courts, and clerks of the courts of common pleas, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one, and the official term of said judges and clerks, so elected, shall commence on the second Monday of February, one thousand eight hundred and fifty-two. Judges and clerks of the courts of common pleas and supreme court, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office with their present powers and duties, until the second Monday of February, one thousand eight hundred and fifty-two. No suit or proceeding, pending in any of the courts of this state, shall be affected by the adoption of this constitution.

SEC. 5. The register and receiver of the land office, directors of the penitentiary, directors of the benevolent institutions of the state, the state librarian, and all other officers, not otherwise provided for in this constitution, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office, until their terms expire, respectively, unless the General Assembly shall otherwise provide.

SEC. 6. The superior and commercial courts of Cincinnati, and the superior court of Cleveland, shall remain, until otherwise provided by law, with their present powers and jurisdiction; and the judges and clerks of said courts, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office, until the expiration of their terms of office, respectively, or, until otherwise provided by law; but neither of said courts shall continue after the second Monday of February, one thousand eight hundred and fifty-three; and no suits shall be commenced in said two first mentioned courts, after the second Monday in

February, one thousand eight hundred and fifty-two, nor in said last mentioned court, after the second Monday in August, one thousand eight hundred and fifty-two; and all business in either of said courts, not disposed of within the time limited for their continuance as aforesaid, shall be transferred to the court of common pleas.

SEC. 7. All county and township officers and justices of the peace, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office until their terms expire, respectively.

SEC. 8. Vacancies in office, occurring after the first day of September, one thousand eight hundred and fifty-one, shall be filled, as is now prescribed by law, and until officers are elected or appointed, and qualified, under this constitution.

SEC. 9. This constitution shall take effect, on the first day of September, one thousand eight hundred and fifty-one.

SEC. 10. All officers shall continue in office, until their successors shall be chosen and qualified.

SEC. 11. Suits pending in the supreme court in bank, shall be transferred to the supreme court provided for in this constitution, and be proceeded in according to law.

SEC. 12. The district courts shall, in their respective counties, be the successors of the present supreme court; and all suits, prosecutions, judgments, records, and proceedings, pending and remaining in said supreme court, in the several counties of any district, shall be transferred to the respective district courts of such counties, and be proceeded in, as though no change had been made in said supreme court.

SEC. 13. The said courts of common pleas, shall be the successors of the present courts of common pleas in the several counties, except as to probate jurisdic-

tion; and all suits, prosecutions, proceedings, records and judgments, pending or being in said last mentioned courts, except as aforesaid, shall be transferred to the courts of common pleas created by this constitution, and proceeded in, as though the same had been therein instituted.

SEC. 14. The probate courts provided for in this constitution, as to all matters within the jurisdiction conferred upon said courts, shall be the successors, in the several counties, of the present courts of common pleas; and the records, files and papers, business and proceedings, appertaining to said jurisdiction, shall be transferred to said courts of probate, and be there proceeded in, according to law.

SEC. 15. Until otherwise provided by law, elections for judges and clerks shall be held, and the poll-books returned, as is provided for governor, and the abstract therefrom, certified to the secretary of state, shall be by him opened, in the presence of the governor, who shall declare the result, and issue commissions to the persons elected.

SEC. 16. Where two or more counties are joined in a senatorial representative, or judicial district, the returns of elections shall be sent to the county, having the largest population.

SEC. 17. The foregoing constitution shall be submitted to the electors of the state, at an election to be held on the third Tuesday of June, one thousand eight hundred and fifty-one, in the several election districts of this state. The ballots at such election shall be written or printed as follows: Those in favor of the constitution, "New constitution, Yes;" those against the constitution, "New constitution, No." The polls at said election shall be opened between the hours of eight and ten o'clock A. M., and closed at six o'clock

P. M.; and the said election shall be conducted, and the returns thereof made and certified, to the secretary of state, as provided by law for annual elections of state and county officers. Within twenty days after such election, the secretary of state shall open the returns thereof, in the presence of the governor; and, if it shall appear that a majority of all the votes, cast at such election, are in favor of the constitution, the governor shall issue his proclamation, stating that fact, and said constitution shall be the constitution of the state of Ohio, and not otherwise.

SEC. 18. At the time when the votes of the electors shall be taken for the adoption or rejection of this constitution, the additional section, in the words following, to-wit: "No license to traffic in intoxicating liquors shall hereafter be granted in this state; but the General Assembly may, by law, provide against evils resulting therefrom," shall be separately submitted to the electors for adoption or rejection, in form following, to-wit: A separate ballot may be given by every elector and deposited in a separate box. Upon the ballots given for said separate amendment shall be written or printed, or partly written and partly printed, the words: "License to sell intoxicating liquors, Yes;" and upon the ballots given against such amendment, in like manner, the words: "License to sell intoxicating liquors, No." If, at the said election, a majority of all the votes given for and against said amendment, shall contain the words: "License to sell intoxicating liquors, No." then the said amendment shall be a separate section of article fifteen of the constitution.

SEC. 19. The apportionment of the house of representatives during the first decennial period under this constitution, shall be as follows:

The counties of Adams, Allen, Athens, Auglaize, Carroll, Champaign, Clark, Clinton, Crawford, Darke,

Delaware, Erie, Fayette, Gallia, Geauga, Greene, Hancock, Harrison, Hocking, Holmes, Lake, Lawrence, Logan, Madison, Marion, Meigs, Morrow, Perry, Pickaway, Pike, Preble, Sandusky, Scioto, Shelby, and Union, shall, severally, be entitled to one representative, in each session of the decennial period.

The counties of Franklin, Licking, Montgomery, and Stark, shall each be entitled to two representatives, in each session of the decennial period.

The counties of Ashland, Coshocton, Highland, Huron, Lorain, Mahoning, Medina, Miami, Portage, Seneca, Summit, and Warren, shall, severally, be entitled to one representative, in each session; and one additional representative in the fifth session of the decennial period.

The counties of Ashtabula, Brown, Butler, Clermont, Fairfield, Guernsey, Jefferson, Knox, Monroe, Morgan, Richland, Trumbull, Tuscarawas, and Washington, shall, severally, be entitled to one representative, in each session; and two additional representatives, one in the third, and one in the fourth session of the decennial period.

The counties of Belmont, Columbiana, Ross and Wayne, shall, severally, be entitled to one representative, in each session; and three additional representatives, one in the first, one in the second, and one in the third session of the decennial period.

The county of Muskingum shall be entitled to two representatives, in each session; and one additional representative, in the fifth session, of the decennial period.

The county of Cuyahoga shall be entitled to two representatives, in each session; and two additional representatives, one in the third, and one in the fourth session of the decennial period.

The county of Hamilton shall be entitled to seven

representatives, in each session; and four additional representatives, one in the first, one in the second, one in the third, and one in the fourth session, of the decennial period.

The following counties, until they shall have acquired a sufficient population to entitle them to elect, separately, under the fourth section of the eleventh article, shall form districts in manner following, to-wit: The counties of Jackson and Vinton, one district; the counties of Lucas and Fulton, one district; the counties of Wyandot and Hardin, one district; the counties of Mercer and Van Wert, one district; the counties of Paulding, Defiance, and Williams, one district; the counties of Putnam and Henry, one district; and the counties of Wood and Ottawa, one district; each of which districts shall be entitled to one representative in every session of the decennial period.

Done in convention, at Cincinnati, the tenth day of March, in the year of our Lord, one thousand eight hundred and fifty-one, and of the independence of the United States, the seventy-fifth.

ARTICLE XVII.

SEC. 1. Elections for state and county officers shall be held on the first Tuesday after the first Monday in November in the even numbered years; and all elections for all other elective officers shall be held on the first Tuesday after the first Monday in November in the odd numbered years.

SEC. 2. The term of office of the governor, lieutenant governor, attorney-general, secretary of state and treasurer of state shall be two years, and that of the auditor of state shall be four years. The term of office of the judges of the supreme court and circuit courts shall be such even number of years not less than six

(6) years as may be prescribed by the general assembly: that of the judges of the common pleas court six (6) years and of the judges of the probate court, four (4) years, and that of other judges shall be such even number of years not exceeding six (6) years as may be prescribed by the general assembly. The term of office of justices of the peace shall be such even number of years not exceeding four (4) years, as may be prescribed by the general assembly. The term of office of the members of the board of public works shall be such even number of years not exceeding six (6) years as may be so prescribed; and the term of office of all elective county, township, municipal and school officers shall be such even number of years not exceeding four (4) years as may be so prescribed.

And the General Assembly shall have power to so extend existing terms of office as to effect the purpose of Section 1 of this article.

Any vacancy which may occur in any elective state office other than that of a member of the General Assembly or of governor, shall be filled by appointment by the governor until the disability is removed, or a successor elected and qualified. Every such vacancy shall be filled by election at the first general election for the office which is vacant, that occurs more than thirty (30) days after the vacancy shall have occurred. The person elected shall fill the office for the unexpired term. All vacancies in other elective offices shall be filled for the unexpired term in such manner as may be prescribed by law.

WILLIAM MEDILL, *President.*

Attest: WM. H. GILL, *Secretary.*

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